Summum
felicitatis ac perfectionis
est
uniri Deo
Lockhurne

Imprimatur,

Hic Liber cui Titulus, The Life and Trial of Sir *Walter Raleigh.*

Ab. Campion, *Reverendissimo Domino*
GILB. Arch. Cant. *à Sac. Domest.*

Aug. 30. 1676.
Ex Æd. Lambeth.

Summum
felicitatis ac perfectionis
est
uniri Deo
Lockhurne

Imprimatur,

Hic Liber cui Titulus, The Life and Trial of Sir *Walter Raleigh.*

Ab. Campion, *Reverendissimo Domino*
GILB. Arch. Cant. *à Sac. Domest.*

Aug. 30. 1676.
Ex Æd. Lambeth.

THE

LIFE

Of the Valiant & Learned

Sir WALTER RALEIGH,

Knight.

WITH HIS

TRYAL

AT

WINCHESTER.

LONDON,

Printed by *J. D.* for *Benj. Shirley*, and *Richard Tonſon*, under the Dial of St. *Dunſtans* Church in *Fleetſtreet*, and under *Grays-Inn* Gate next *Grays-Inn* Lane, 1677.

XUM

THE LIFE OF Sir VValter Raleigh.

I Determine to write the Life, the Riſe, Fortunes and End of Sir *Walter Raleigh*, Knight; his Memoirs being certainly worthy to be tranſmitted to Poſterity, who hath been ſo ſucceſsfully induſtrious in retrieving the Actions of former Ages from the Ruines of

Time, even in its very Infancy, in a well-compil'd, maſculine, and learned Hiſtory of the World. The Image of ſo great a Perſon ſhould not be quite loſt, though drawn in little, which deſerves to be pourtraid by the greateſt Maſters of Policy, and with the boldeſt Touches. Indeed his Shadows cannot now well be left exact, ſeeing they muſt be taken ſo long after his Death; when Time hath defac'd his beſt Features, and ſhed *Oblivion* on the moſt beautiful of his Actions. Who follows Truth (as Sir *Walter* has wiſely remarqu'd) too near the heels, may have his teeth ſtruck out: and he that goes after her, oft loſeth her ſight, and himſelf too. Diſtance of time doth ſometimes, like ſome *mediums*, make the ſtreighteſt Actions ſeem crooked, and ſometimes gives them the advantage of Landſcapes, which

In his Preface to the Hiſtory of the World

which appear taking and agreeable afar off, tho when nearly ſearch'd, and pry'd into by a curious and intelligent Eye, they ſeem rude, harſh, and unpleaſant. We muſt therefore deſpair of a juſt and exact Account of him, unleſs we could by ſome Magick-Power (as the Author of a Pamphlet has done, to terrify and make *Gondamore* ſpeak the Truth) raiſe him from the dead, and converſe a while with his Ghoſt. I ſhall however with what imperfect Clue our Hiſtories have bequeath'd, trace him through the various Labyrinths of Fortune, and take a Proſpect of him in the ſeveral Scenes of Court and Camp, Peace and War, till I have followed him to the Scaffold, the place of his much lamented and unhappy End; keeping as near as I can a *medium* between *Thoſe* who in their Annals drive on with an implicit

faith; and *Those*, who to get the reputation of Observers and Men of Reach, steal into the private Recesses of Princes, and disrobe Majesty it self to find some Deformities; which love to their Prince, and Interest of State should cover; The best Vail for all deform'd Actions.

I find him born at a place, call'd *Budely*, or *Budleigh*, in the County of *Devon*, in an House which his Family had long possest, call'd *Hays*: A County (as Mr. *Cambden* has observ'd) renown'd among forreign Nations for the Valour of its Inhabitants in Sea-Services of all sorts. That *Spain* thought so, Sir *Francis Drake*, with many others of that County, as well as our Sir *Walter*, are very convincing Arguments.

In his Britannia.

That he was well descended, was never yet questioned, but by my Lord of *Oxon*, who indeed was wont

to

to call him the Jack, and Upſtart. But theſe were words which only Envy and Emulation could extort, and every one very eaſily confute.

Indeed that he was a Gentleman, becauſe a Favourite, was no ill Argument amongſt the Politicians of thoſe Times, if we may believe a Secretary of State, who hath left this as a Maxim then, That the Queen through her whole Reign never was guilty of creation, never in her choice took into her Favour a mere New-Man, or a Mechanick. Sir *Rob. Nanton.*

That he was but poor in the beginning ſeems not ſtrange, if we conſider him the youngeſt Brother, and the Fortunes of his Family much diminiſhed by the Generoſity (if not Prodigality) of his Anceſtors. But the wants of Fortune are often recompenc'd with the richer gifts of the Mind; Nature foreſeeing the diſ-

diſability of his Eſtate, ſtock'd him with a larger portion of Senſe, bequeath'd him the fairer Patrimony of a faithful Memory, plauſible Tongue, ſtrong Wit, and ſolid Judgment.

But becauſe the natural Endowments of the Mind, though never ſo great, are capable of Advancement by the help of Education, he reſolv'd for one of the Univerſities. *Oxon* had the happineſs to own him, where I find him in *Oriel* Colledg. His ſlender Fortune, and his active Genius, always pointed with a reſtleſs Ambition, would not let him ſettle here, ſo that he could only (like a Spy) take a tranſient view of, or (like an haſty Enemy) make ſome incurſions and inrodes into thoſe parts of Learning, which he afterward conquer'd, and was entirely Maſter of.

Therefore that he might the better

ter feed those Hopes Ambition had kindled in his thoughts, and remove nearer to the Mistress he courted; He resolved for one of the Inns of Court, which he knew were always Places of Esteem with the Queen, who would say, *they fitted Youth for the future*. Here he spent his time, and improv'd himself in the intricate knowledge of our Laws, and in the studies of all Manly and Real Accomplishments.

But he staid not long here neither; for Fate it seems would have him of the Sword first. Yet though he laid aside his Gown, it was not with a design of never reassuming it; for through the frequent Vicissitudes of his whole Life, he challenged a Reputation amongst the most Eminent States-men, being upon all Emergencies of Affairs consulted, as one of the best Oracles of Government and

and Policy in his time. It's true he was never ſworn, for ſome Reaſons of State which Courts ſpread a Vail over, but was frequently called to Council. Through his Life he made good his Motto, *Tam Marti, quam Mercurio*: and it is ſtill a Queſtion, Whether he was the better Statesman or Souldier? incomparably excelling in both the Arts of Peace and War. To riſe by his Studies, probably his Condition and Ambition would not let him judg the ſpeedieſt courſe; much time and a conſiderable Fortune being often ſpent in climbing up the tedious ſteps of Preferment that way. He thought it more eaſie to fight, than talk himſelf into a Reputation. Active-Times, and a buſie War-like Princeſs, pointed him out the readieſt way to the Temple of Honour. The Sword he judged, with *Alexander*,

der, the quickeſt Inſtrument to unty all the Knots and tedious Obſtacles of Greatneſs.

Nor could he want Occaſions enough to draw forth his Spirits into Action. *France* was engaged in a Civil-War; And the Queen, whether out of concern for the *Proteſtants*, or for Reaſon of State, to divert the Giant-Enemy the *Spaniard*, aſſiſted the poor diſtreſſed *Dutch*. And the *Spaniard* by a Policy of the ſame nature, raiſes Rebellions in *Ireland*; which, like ſubterranean Fires, broke out over all that Kingdom at ſeveral times; When one *Mac* had in one place ſpent his Force, preſently we hear of the eruption of another. This Fire was kept in to the end of her Reign, being maintained by that laſting fewel of Rebellion, and common pretext of change in Government, RELIGION: the Pope pre-

pretending the Kingdom belonged to *St. Peter.*

1569. Of his first Publick Appearance Mr. *Cambden* hath given us this Account: The *Queen* though imbroil'd in a Rebellion at home of the Earl of *Northumberland* and *Dacres* in the North, yet failed not to relieve the *Protestants* in *France*, who were now brought into a distressed and almost desperate condition; she exhorted all the *Protestant* Princes to assist the Common Cause, supplied the *Queen* of *Navar* with Money, taking Jewels in pawn; Permitted *Henry Champernoun* to carry into *France* a Troop of Gentlemen-Volunteers, who were resolv'd to make good the Motto their Colours bore, *Finem det nobis Virtus.* Among these Sir *Walter* engaged himself, though (as Mr. *Cambden* goes on) very young, and now first beginning to be of any note.

So

So ſoon the early bloſſoms of his Valour began to appear, which afterwards grew up to an exact ripeneſs and perfection. *France* was the firſt School, wherein he learnt the Rudiments of War; and the *Low-Countries* and *Ireland* (the Military Academies of thoſe Times) made him Maſter of that Diſcipline; for in both places he expoſed himſelf afterwards to Land-Service: But their ſlender Pay diſcouraged him from ſtaying long in either. The Service of *Ireland* eſpecially, ſcarce ſupplying the neceſſities of a Military Life.

'Being reſtleſs and impatient of a narrow and low Condition, and his Services being not ſo ſucceſsful as his Hopes were great, and his Merits not anſwered with a Fortune ſtrong enough to buoy up his Reputation, he was reſolv'd to leave no ſtone unturned

turned, nor any Method of living unexperimented. And ſince his Land-Expeditions could make no Additions to his Fortunes, Novelty, and a deſire of putting himſelf into a better capacity, urg'd him to a Sea-Voyage. At both Sea and Land he was the true Pattern of Induſtry; and if any Man ever manag'd Neceſſity to its furtheſt Improvements, it was He. No expert Souldier or Mariner eſcap'd his Acquaintance or Enquiries; nothing that related to the Arts of War and Navigation miſsd his peruſal: and one who was Maſter of thoſe parts he enjoy'd, could with no great difficulty make thoſe Arts his own. Add to this the Methods he uſed to improve himſelf: He ſlept but five hours; four he ſpent in reading and maſtering the beſt Authors, two in a ſelect Converſation and an Inquiſitive Diſcourſe,

courſe, the reſt in Buſineſs. He underwent all the labours that attend a Souldier, and fared as the meaneſt. No common Mariner took more pains, or hazarded more in the moſt difficult Attempts.

What his Sea-Voyages produc'd Hiſtories are ſilent in; but not long after his return I find him got again into *Ireland*, appearing with his own Colours flying in the Field, under the command of the Lord *Grey*, who ſucceeded *Pelham* in the Deputyſhip of that Kingdom. He had not been long there, before a Quarrel was rais'd between the Lord-Deputy and our Captain, (for with that Title he went into *Ireland*) which being complain'd of to a Council of War, was referr'd to the Council-Table in *England*. Our Hiſtorians would make the Lord *Grey*'s Cauſe the faireſt; but Juſtice, and the Reſult of the 1580.

Council, gave *Raleigh* the Victory. What were the occaſions of this Quarrel our Annals ſlip over, and have only left a large Field for Conjecture to tire it ſelf in. Whether an eager purſuit after Honour, without exact obedience to Military-Command, occaſioned by a reſtleſs deſire of doing ſomething Great, or what ever elſe it might be, we leave the Reader to fancy: However if his Cauſe had not been good, no Apology, how well ſoever manag'd, could have brib'd the Judgment of ſo wiſe a Council, wholly ſtrangers to his Worth and Perſon.

About this time Authors place the *Æra* of his Riſe, but cannot well agree about the occaſion of it. Some would have *Leiceſter* to be the chief Agent in it, and that he related the whole buſineſs at Council to the Queen with no little advantage to

our

our Captain. Not ſo much probably out of reſpect to *Raleigh*, as to his own Intereſt. For Favourites, like their Princes, ſeldom eſpouſe any Cauſe upon any other ground than what advances or ſtands with their own Deſigns. His own Deſigns indeed on the Queen were blaſted, and finding the burden and envy of a Stateſman too heavy for his aged ſhoulders, he was willing handſomly to impart them to a more active *Genius*. Though great Favourites ſeldom admit of a Partner, till Age makes them willing to withdraw, and leave the trouble of Buſineſs to more ſpritely years. They care not to have new Plants ſet, till themſelves are almoſt wither'd and ſapleſs.

Others would have his Riſe attributed to *Suſſex*, who brought him to Court to outſhine *Leiceſter*, and e-

clipſe the ſplendor of his Enemy. But what was the ſtrongeſt Argument and only Perſwaſive with the Queen was his Merits, which ſhe ſoon ſaw, and preſently encouraged. Nor muſt I here paſs by one ſmall ſtep to his future Heighth, which our Chronicles have over-look'd, as below the Pen of an Hiſtorian, thô ſome have judged an Account of ſome little tranſactions the beſt Inlets to Truth and Myſteries of State. The occaſion was thus: Our Captain coming over out of *Ireland* upon the afore-mention'd Cauſe to Court, in very good habit, (which it ſeems was the greateſt part of his Eſtate) which is often found to be no mean Introducer where Deſerts are not known, found the Queen walking, till ſhe was ſtopt by a plaſhy-place which ſhe ſcrupled treading on; preſently he ſpread his new Pluſh-Coat on the Ground.

Ground, on which the Queen gently trod, being not a little pleas'd, as well as surpris'd with so unexpected a Complement. Thus, as one remarks upon this Story, *An Advantagious Admission into the first Notices of a Prince, is more than half a degree to Preferment.* For he presently after found some gracious Beams of Favour reflecting on him, which he was resolv'd, and well knew how to cherish and contract. To put the *Queen* in remembrance, he wrote in a Window obvious to her Eye, *Fuller's Worthies*

Fain would I climb, yet fear I to fall.

Which her Majesty either espying, or being shewn, under-wrote this Answer,

If thy heart fail thee, climb not at all.

But his aspiring Soul could not rest

in the lower, though ſafer way of living; He could not be mean, whoſe Reſolutions were ſo great, and whoſe Prudence and Activity made him capable of the higheſt Preferments. Inſpir'd with a reſtleſs and ambitious *Genius*, he deſign'd nothing but what was extreme; and had rather not be, than not be one of the moſt Eminent. And to the greateſt height probably he had arrived, had he lived in any other Princes Reigns than that of Queen *Elizabeth* and King *James*; the former being not over-haſty to raiſe any to any great Honour, and the latter not caring for Men of War and Blood.

Raleigh was ſo towardly an Apprentice in the Court-Trade, that he ſoon ſet up for himſelf, and would have improved this ſtock of Favour to a great advantage, had he not loſt by thoſe common Enemies to it, En-

vy

vy and Jealouſy. In a ſhort time he is become a *Minion*, obtains the *Queens* Ear, is often conſulted, and nothing done without him. Her Favour and his Parts began to alarm his Rivals, who like ſome envious Neighbours will not eaſily permit any Fabrick to ſtand long that hinders their own Proſpect. Jealous Favourites, like wiſe Planters, will not ſuffer the Under-Wood to riſe, which may obſtruct the growth of taller Trees.

Leiceſter began to repent his choice of his Creature, and thought he grew too faſt in his Miſtreſſes Favour. To ſtop the current of her Affection, he privately endeavours to undermine his Eſteem, and introduce a new Favourite that might be his Rival. To bring about this Deſign, *Leiceſter* thought there would be nothing wanting, if by *Raleigh*'s abſence he could have opportunity to introduce

the Earl of *Essex*; nor did he long expect before one offer'd it self: for the Queen being willing to encourage *Raleigh*, (who, as Mr. *Cambden* is pleased to tell us, was never sufficiently to be commended for the great pains he took to discover remote Countries, and to advance the Glory of the *English* Navigation and Trade) sent him on a Voyage to Sea. Nor did he make a vain and fruitless one; for at his Return he brought news of a new Country, discover'd by him in the Year 1584, called in honour of the Queen *Virginia*, before call'd **Wingandacoa** by the barbarous Inhabitants. A Country that hath been since of no inconsiderable Profit to our Nation. But though Patents were granted to him to settle a Plantation there, it grew not famous till the Reign of King *James*: Wherein this Nation quick-

quickly found out the Excellency and Fruitfulneſs of the Place, ſo agreeable to our *Engliſh* Bodies, and profitable to the *Exchequer*. Nature there is prodigal, and makes amends for her parſimony to other parts of the World. An Acre there yieldeth often forty Buſhels of Corn; and, which is more ſtrange, there being three Harveſts in a Year: For, their Corn is ſow'd, ripe, and cut down in little more than two Months.

For this, and other beneficial Ex- 1584.
peditions and Deſigns, this Year her Majeſty was pleas'd to confer on him the honour of Knighthood, which in her Reign was more eſteemed than in her Succeſſors. The Queen keeping the Temple of Honour cloſe ſhut, and never open'd but to Vertue and Deſert. Nor was ſhe indeed ever haſty to reward; for ſhe ſeldom paid in any other Coin

than

than Patents and good Words. So that the greateſt number of thoſe who might pretend to Favour, were the Architects of their own Fortunes, and had little or no Encouragement from her, more than that of a *Spectator*, who praiſes the Workmanſhip, and commends the handſom Contrivances of a Building, but is at no part of the Expences of raiſing it. Hence our Sir *Walter's* Rewards are quickly enumerated, for he got nothing after all his Exploits and Deſigns, but the Wardenſhip of the *Stanneries*, Command of the Guard, and the Government of *Jerſey* and *Virginia*; Places of no very great Profit, nor anſwerable to his Worth, or juſt Ambition.

1588. In 1588, the grand *Clymacterick* of *Spain*, (for Bodies Politick have their *Critical* Times) I find Sir *Walter* by his Example encouraging others of the

the Gentry to ſet out Ships at their proper Charges, and by his admirable Conduct and Courage to put them to the beſt uſe. Which hired Ships were Actors of no ſmall uſe in that fatal Blow given to the *Invincible Armada*. Three Years this Giant had been growing to that portentous Greatneſs, with infinite Expences and Induſtry; but was beaten, ruin'd, and diſhonourably overthrown in leſs than a Months ſpace: the *Spaniards* finding that our Ships as well as the Heavens could fight againſt them.

But this Shock, like ſome Ague-fit, was eaſily recover'd, and in a ſhort time after the *Spaniards* began to renew their former Deſigns. For in the Parliament which began *Febr.* 19. 1592, I find Sir *Walter Raleigh* informing the Houſe, that the Queen could not without Subſidies prevent 1592.

the

the eminent dangers threatned from the *Spaniard*. Of which Subſidies he ſpake (as he proteſted) not only to pleaſe the *Queen*, to whom he was infinitely oblig'd, but for the neceſſity he both ſaw and knew; He told them, he very well diſcovered the great Strength of the King of *Spain*; and to ſhew his Mightineſs, he inform'd the Houſe how he poſſeſt all the World. And that his Malice and ill purpoſes againſt this Realm might be evident, he ſhewed how on every ſide he had beleaguer'd us; In *Denmark*, the King being young, he had corrupted the Council and Nobility; ſo it was very likely he would ſpeed himſelf of Ships from thence. In the Maritime Towns of the *Low-Countries*, and in *Norway* he hath laid in great ſtore of Shipping. In *France* he hath the Parliament-Towns at command; In *Britanny* he

he hath all the beſt Havens; and in *Scotland* he hath corrupted the Nobility, and promis'd them Forces to aſſiſt the *Papiſts*, and that they were ready to joyn with any Foreign-Aids, that would make them ſtrong enough to be by themſelves, and to reſiſt others; for, as he thought, there were not ſix Gentlemen of that Country of one Religion. In his own Country there are all poſſible Preparations making, and he is coming with ſixty Galleys beſides other Shipping. If our Subſidies are not ſudden, he may with eaſe invade us riding at Anchor; but all will be little enough to withſtand him. At his coming he fully reſolveth to get *Plymouth*, or at leaſt to poſſeſs ſome of the Havens this Summer within our Land. And *Plymouth* is in moſt danger; for no Ordnance can be carried thither to remove him, the

Paſſages

Paſſages will not give leave. Now the way to defeat him, is to ſend a Royal Army and ſupplant him in *Britanny*, and to poſſeſs our ſelves there; and to ſend a ſtrong Navy to Sea, and to lie with it on the Cape, and at *Lambuck*; to which places come all his Ships with Riches from all places, and there they may ſet upon all that come.

What ſucceſs this Speech alone had I know not, but the Subſidy was granted with the general Conſent of the Houſe, to carry on the War againſt *Spain*. His Expedition a little after demonſtrates that the Queen took his Advice, which was to afflict the *Spaniards* at a diſtance; and whilſt ſhe could not handſomly aſſault his more neighbourly and guarded parts, to diſturb thoſe that were more naked and further off, his *Indies*. The Moneys brought from thence

thence being the Nerves and Sinews of his Power, and the chiefeſt Incendiary in the *Iriſh Rebellion*, which if handſomly ſtopt, would put an end to his Greatneſs, and humble the Mighty Monarch.

That he might not want an opportunity to ſhew his Valour and Conduct in this Affair, the Queen ſends him to Sea to manifeſt both; thinking none more fit to be imploy'd in a Buſineſs, than the Perſon that counſell'd and ſtarted it; having the Courage of a Souldier to put in execution the ſober Advices of the Gown-man. To *America* he is ſent with 15 Men of War to poſſeſs himſelf of *Panama*, where the *Spaniards* ſhip their Riches, or to intercept them in their paſſage homewards. But he found more Encouragement from the willingneſs of the Seamen than from the Winds, which held the

the Ships in their Havens for three Months: A Circumſtance which put an ill look upon the Enterprize, and had almoſt made it vain. But nothing could allay the Courage of the Seamen, who were bouy'd up with the hopes of Prey, and the ſucceſs of their Commander. Having ſet ſail at laſt, they got beyond the *Spaniſh* Cape, called the *Lands-end*, where they met with unwelcome Intelligence, *viz.* That by expreſs command from his *Catholick* Majeſty no Ship was to ſtir from the *Weſt-Indies* that Year. Together with this News, inſtead of meeting with the long'd-for Enemy, they were attacqu'd with a more invincible one, a furious Tempeſt, which diſperſt and diſorder'd the Fleet, and ſunk their Ship-Boats. Thus being on all ſides aſſaulted with Tempeſts, Diſaſters, and the worſe news of the

Spaniards

Spaniards ſtay in the other World, he thought the Heavens had daſh'd his Deſigns, and rendred a well-ordered Contrivance abortive. Upon which at firſt he intended to make for home with the whole Fleet; but another Project offer'd it ſelf after ſecond thoughts, of dividing the Navy into two Squadrons, from the hope that thô while together they had been ſucceſsleſs, yet Fortune might offer to them when ſeparated ſomething worthy their patience and deſires. Immediately one Squadron is committed to the Conduct of Sir *John Burroughs*, Son to the Lord *Burroughs*; the other to Sir *Martin Forbiſher*, with their reſpective Commiſſions. Sir *Martin*'s charge was to lie off and on the Coaſt of *Spain*, to hinder the coming in of their Veſſels. Sir *John*'s to wait at the *Azores* for the coming of the Caracks out of the *Eaſt-Indies*.

Sir *Walter* was much blam'd for this Action, and thought ſhort in his Politicks, in giving over the hopeful part of the Deſign to Sir *John Burroughs*, and retiring himſelf to Court. But the Succeſs was the only Argument of his Overſight, and nothing but the Event could charge him with Imprudence. The Diviſion of the Fleet prov'd a wiſe Deſign, and amazed the *Spaniard*. For while the *Spaniſh* Admiral eyed *Forbiſher*, the mighty Caracks were unregarded, and left to the mercy of *Burrough's* Men of War as an eaſy Prey. Who having according to Order arriv'd at *Sancta Cruce*, a ſmall Town in the Iſle of *Azores*, a little after got ſight of a *Portugal* Merchant-man, (briskly purſued by a Privateer of the Earl of *Cumberland's*) but could not reach her, an unhappy Calm keeping him at too far a diſtance. But a more wel-

welcom Storm ariſing in the night, forc'd both to weigh Anchor. Aſſoon as day appear'd, the *Portuguees* was unlading as faſt as ſhe could at *Flores*, and upon the approach of the *Engliſh* fired their Carack: But though their Deſigns were ruin'd as to that Ship, yet the news they got from ſome Priſoners taken, gave them freſh hopes, and heartned them with the Information, that ſeveral other Merchant-men were behind coming for *Spain*. This put Sir *John Burroughs* upon placing his Men of War at ſeveral diſtances, to reach as far about as was poſſible. But they had not long waited, before their diligence was rewarded with the ſurpriſal of a large Veſſel, call'd *The Mother of God*, which was 165 foot long from Head to Stern, and ſeven Decks high, laden with Goods to the value of 150000 *l. Engliſh*, beſides

vvhat the Seamen privately took for their own uſe.

Sir *Walter* having now deſerted his Naval Employ, and become again a Courtier, it vvas not long before he vvas ſeiz'd vvith the idle Court-Diſeaſe of Love, the unfortunate occaſion of the vvorſt Action of his vvhole Life. For in the Year
1595. 1595, I find him under a Cloud, baniſh'd the Court, and his Miſtreſſes Favour vvithdrawn, for devirginating a Maid of Honour. But vvhy for this one Action he ſhould lie under the imputation of an *Atheiſt*, and from a ſingle crime get the denomination of a Debauch, is the Logick of none but the Vulgar. By the ſame reaſon the other Favourites of thoſe Times (*Leiceſter*, *Cecil*, and *Eſſex*) bid as fair for thoſe titles, the latter making the Parallèl good in this Vice with his ſucceſſor *Buckingham*, thô in

in other Circumſtances there was a great diſparity. Neither ever vvas it accounted any great Crime in the Orb of Courts. But to ſtop the Mouth of Fame, which is always open on ſuch occaſions, and to wipe out the Infamy of the Fact, he vvas ſhortly after married to the Object of his Love, the defloured Lady. And to get Reputation among the People, vvho always vvere unjuſt to him in their ſentiments, he put himſelf on a Voyage to *Guiana*, for the Improvement and Honour of his Country. Having therefore obtained his Liberty, (for, for this Action he vvas impriſoned ſome months) and finding all things vvith an unpleaſant Aſpect, he followed his *Genius* of diſcovering New Places, and tracing Nature in her more retired and hidden Paths; thinking that Abſence, and a Fortunate Voyage,

might reinveſt him in his Miſtreſſes thoughts, and merit a new Eſteem.

Guiana had been talk'd of much by the *Spaniards* as an excellent Country, and for one Commodity the *Spaniards* had a great reverence for, very famous, GOLD, which put Sir *Walter* upon the Attempt, judging it beſides a place (if maſter'd) very convenient for its ſituation to annoy and diſturb the *Spaniards American* Traffick, and would be no little help in building his Fortunes, and what was more eſtimable, place him in his Miſtreſſes Favour again.

From *Plymouth* he ſet ſail on the ſixth of *February*, and on the 22d of *March* arriv'd at the Iſle of *Trinidado*, eight degrees on this ſide the *Equinoctial*-Line; where he ſoon made himſelf Maſter of St. *Joſephs*, a ſmall City; and, which was more conſiderable, of the Governour *Antonio Bereo*,

Bereo, from whom he got the beſt account of thoſe Parts, and its Trade. Leaving his Ship at *Trinidado*, with ſome Pinaces and an hundred Men, and the ſmall ſtock of Knowledge he obtain'd of *Bereo*, he made up the great River *Ormus*, in ſearch of *Guiana*. What he found, ſaw, and performed there, his moſt Ingenuous Hiſtory of thoſe Parts may ſatisfy the Curious.

In his Return he fired *Cumana*, becauſe the Inhabitants would not redeem it with Money; beſides ſeveral Cottages at St. *Maries*, and *Rio de la Hach*. Neither did he deſiſt in this Deſign of *Guiana*, for once or twice Mr. *Cambden* tels us afterwards he proſecuted it with vaſt Expences, although the *Spaniards* had plac'd a Colony at *Trinidado* to hinder his further Attempts.

Whilſt Sir *Walter* is ſearching for a

new World, *Hawkins* and *Drake* are attempting freſh Things in thoſe parts of *America* which the *Spaniards* vvere already poſſeſt of. But their old Fortune had left them, and the unhappineſs of the Action put an end to their Lives; In the Year 1596 both died with Grief, and bequeath'd their Hatred of the *Spaniard* to Sir *Walter Raleigh* to revenge their Quarrel.

1596.

Who this Year return'd, being ſatisfi'd with his Expedition, and much more vvith the Reception he found at Court. The Storm vvas blown over, and his Miſtreſſes Brow vvas more ſmooth than at his departure; after his Eclipſe he ſhone brighter at Court, and the Death of thoſe two famous Sea-men, put them upon courting Sir *Walter*, whom the neceſſity of State forc'd them to cheriſh and encourage. It's ſtrange, that vvhat

vvhat was *Eſſex*'s Ruine ſhould confirm Sir *Walter* in Favour, frequent Abſence from his Miſtreſs. But Sir *Walter*'s Obſequiouſneſs work'd much upon the humour of the Queen, who lov'd Pliantneſs, and exact Obedience, which *Eſſex* could not always counterfeit.

The *Spaniard* being encouraged with the poſſeſſion of *Cales*, from whence it was but a ſhort cut over into *England*, the Death of *Hawkins*, and their former ſcourge, *Drake*, and the earneſt Sollicitations of the *Iriſh*, (who through her Reign had got the Itch of Rebellion, which vvas fed and maintained by the *Spaniard*, thô they had been ſufficiently blooded by the *Engliſh*;) And the Queen foreſeeing a Storm gathering, thought 'twas the beſt way to ſcatter it before it grew too great, and came too near. She reſolved therefore to begin

gin with the *Spaniard* first, and fairly set on the Enemy in his own Ports. She speedily riggs a brave Fleet, consisting of 150 Ships, Mann'd by 6360 Souldiers, 1000 Volunteer-Gentlemen, 6772 Seamen. *Robert* Earl of *Essex*, and the Lord *Howard* were Commanders of equal Authority, having been both at an excessive charge in carrying on the War. To these were joyn'd a Council of War, consisting of several eminent Seamen and Souldiers, among whom was our Sir *Walter*. The Fleet was divided into four Squadrons; the first commanded by the Lord Admiral *Howard*; the second by *Essex*; the third by Sir *Thomas Howard*; the fourth by Sir *Walter Raleigh*.

In the beginning of *June* they set sail, and got to *Gades* the 20th: their Design being perfectly unknown, as well to their Enemies as their own Men.

Men. *Eſſex* heated with Youth, and an ambition of doing bravely, would have preſently landed and aſſaulted the Enemy: but this heat was allayed and corrected by Sir *Walter's* Advice, vvho impugned all ſuch raſh Attempts. At laſt a fit Opportunity preſented it ſelf, and by all it was reſolv'd to fight them. At which News the Earl threw up his Hat for joy. The Ebbing-Waters would not permit the great Ships to engage, the Shelves being of greater hazard than the Enemy. Therefore *Raleigh* is pitch'd on as the moſt proper Perſon in the midſt of the Channel to provoke them, vvho accordingly in a little Ship, called the *Waſtſpight*, directed his Prow againſt the *Spaniſh* Men of War, vvho thereupon preſently fell back. Upon this the reſt of the Fleet came in, and burnt and took ſeveral of their Ships. After this

this Victory at Sea, the Men were very importunate to go on ſhore, whom *Eſſex* landed at *Puntal*, a league from the City. At firſt the *Spaniards* received them with a great deal of Courage, but the *Engliſh* charged ſo warmly, that they thought it their prudentſt way to retire with more ſpeed than they came out. The *Engliſh* purſued ſo cloſe that they had almoſt recover'd the City-Gates as ſoon as they. The Earl got upon a Bulwark near the Gate, and from thence he eſpyed an Entrance into the Town, but very hazardous, it being down a very ſteep Precipice: but this did not affright ſeveral of our *Engliſh*, who leap'd from thence into the Town, and engaged the Enemy in the Streets. In the mean time Sir *Walter* and others having forced the Gates, entred the Town, and the Caſtle was ſurrendred upon Mər-

Merciful Conditions. But Sir *Walter* was not idle, or eager after the enjoyment of his Conqueſt; for whilſt others vvere reaping the plentiful Harveſt of War, he with ſome ſmall Ships who could paſs up the Chanel, fired their Merchant-Men vvhich were withdrawn to *Port-Real*, althô they offered two millions of Ducats for their Redemption. Great vvere the Loſſes to the *Spaniards* by this War; and if we may believe our Hiſtories, amounted to no leſs than Twenty Millions of Ducats. Upon Conſultation it was reſolv'd to quit the Town, though contrary to the Opinion of *Eſſex*, vvho vvas for keeping it, as a future Annoyance to the *Spaniards*. After this they took *Faro* in *Algarbe*; and being weary at laſt of their Victories, they reſolv'd for home, though much againſt *Eſſex*'s will, vvhoſe youthful heat

heat was but inflam'd by their Successes, but was wisely slack'd by the Prudence of the Admiral, and the sober Advice of Sir *Walter*: who finding their Men sick, and having gotten so ample Rewards, were not again for hazarding their Fortune upon hopes of a future Prey.

At their Return the Queen welcom'd and encourag'd her Souldiers with new Honours. All but *Essex* were pleased, who found State-Preferments not dispos'd of according to his mind. *Vere* was made Governour of the *Briel*, and Sir *Robert Cecil* Secretary of State.

To recover their Losses at *Gades*, the *Spaniard* riggs out a new Fleet, which were baffled alone by the Winds; for the greatest part were cast away and wreck'd. With the Reliques of this Fleet, in the Year following I find him upon his old

De-

Deſigns of *Ireland*: But the Queen was always too nimble for the grave *Don*, whoſe Deſigns, like his Ships, mov'd ſlow and heavy.

Twenty Ships were rigg'd out at preſent, and afterwards encreaſed to an hundred and twenty Men of War and Victuallers; five thouſand Men rais'd, beſides a thouſand old Souldiers brought from the *Netherlands* by *Vere*. To appeaſe *Eſſex*, the whole Conduct of the Expedition is committed to him. The Navy was divided into three Squadrons; The firſt led by *Eſſex* himſelf; The ſecond by *Howard*; The third by Sir *Walter*, who now was eſteemed the ableſt Seaman of his Age. To enoble this Expedition, ſeveral Perſons of quality of all ſorts engag'd themſelves, who look'd rather like Courtiers than Souldiers, being more adorn'd with Feathers and gay Clothes, than 1597.

than arm'd with Courage and Reſolution. On the ninth of *July* they ſet out with theſe Inſtructions, *viz.* To ſteer to *Farol* and the *Groine*, to ſurprize the *Spaniards* in their Harbours, and to intercept their *Indian* Fleet (the Bait of the War) at the *Azores*. Which Deſign was built upon very good Maximes of State: For it would hinder the Fleet intended againſt *England*; Their Merchant-men wanting Convoys, might be ſeized on; The *Azores* vvon, (where the *Indian* Fleet always call'd for freſh Water in their Return); the Queen have the Dominion of the Seas, and the *Spaniard* be obliged to a Treatment of Peace. *Eſſex* gave out that he was reſolv'd to ſacrifice Himſelf and the Navy for his Country: But his brisk Reſolutions were quickly daunted by a diſmal Tempeſt, which aſtoniſh'd the Mariners them-

themſelves, and forc'd home our gaudy Volunteers, who thought no Enemy ſo terrible as a Tempeſt, and the ſevere motions of a Sea-ſick ſtomack. Thus by this Contradiction of Heaven their Ships were torn, their Victuals ſpent, and they upon this Emergency forc'd to a Conſultation what to do. Some were for laying aſide the *Farol* and the *Groine* Attempts; others for a Voyage to the *Azores*, which was contradicted by *Vere*. So that at laſt *Eſſex* and *Raleigh* were pitch'd on to ride Poſt for Advice to the Queen. *Eſſex* talkt to the Queen of ſtrange *Chimæra's*; how that if he were permitted to have the Fleet, he would with eaſe fire the *Spaniſh* Navy, and perform many other bold Deſigns; about which the Queen caution'd him, and deſir'd the whole Buſineſs ſhould be managed as their joynt diſcretion

ſhould prompt, and opportunity offer it ſelf. . But if it were poſſible, if any occaſion courted them to it, they ſhould fire the Ships in *Farol* Haven, and intercept what other Ships they could from the *Indies*; And upon all Occaſions manifeſt their Conduct and Valour. With theſe Inſtructions they ſet ſail again from *Plymouth*, (whither they were returned the ſeventeenth of *Auguſt*) but were ſeparated by a Tempeſt near the Lands-end. A croſs Yard in *Raleigh*'s Ship was broken by the impetuouſneſs of the Storm, and fell, which forc'd him to ſtay behind to make it good; And having been falſly inform'd that the *Spaniſh* Fleet was bound for the *Azores*, after having repaired his Ship, he ſteer'd his courſe thitherwards. In the mean time *Eſſex*'s Jealouſy, and the pernicious Inſinuations of *Raleigh*'s Enemies, had wrought him into

to a belief that this Diviſion of the Navy was on purpoſe laid and fore-deſign'd by *Raleigh*: But however the buſineſs was put up at his Arrival, and *Eſſex* welcom'd him, making an *Apologie* for acquainting the *Queen* with the Diviſion falſly repreſented, and built (as it appear'd) on wrong ſuppoſitions.

Here wanting Water, Sir *Walter* landed without leave, and ſcarce had taken in Water before he received Orders immediately to follow *Eſſex* to *Fayal*, whither he repaired: but not finding *Eſſex* there according to his Order, he ſpent his time in taking an exact ſurvey of the Haven, and of the People there, who from the fear and apprehenſion of what followed, vvere haſtily packing away their Goods. This fair Opportunity, upon Conſultation, puts him upon taking the Town, and egg'd on the

Souldiers in hopes of an ample Prey. Sir *Gilly Merrick* (one of *Essex* his Creatures) disswaded Sir *Walter* from the Design, alledging it would rob the Earl of the Honour of taking it, and so confirm him his Enemy. But *Sir Walter's* desire of Glory, and the Souldiers Avarice, urg'd him (after he had staid some time for *Essex's* Arrival) to the Assault of the Place, which was at last taken. The next day after this Exploit *Essex* arrived at *Fayal*, where he was quickly inform'd of what *Raleigh* had done, and that the whole Business was transacted with no other design than to rob him of the Glory, which his Jealousy made him easily believe.

Some perswaded the Earl to try *Sir Walter* by a Council of War, and Cashier him; others without more ado would have him put to Death, for landing without Orders: At last some

ſome of *Raleigh*'s Officers were Caſhier'd, He himſelf frown'd on, and ſeverely reprov'd by *Eſſex*. But he never wanted an Apology for his Ambition; inſtancing that he was not obliged to the Orders the inferiour Officers and Souldiers were; that the Commiſſion did not reach Him, being one of the three Generals; Moreover, that he ſtaid for him four days; and that he was neceſſitated at laſt to land, being in extreme want of Water, vvhich was not to be had without fighting. However, the Lord *Howard* became his Mediator, and perſwaded him to an honorable ſubmiſſion; which was perform'd, and accepted of; and thereupon both himſelf, and the caſhier'd Officers and Souldiers were again admitted into favour. But this was only laying their Paſſions aſleep awhile, which in the ſequel of our ſtory were

again awaken'd. I cannot here omit a ſpeech of the Earls upon this occaſion, (which *Sir Henry Wotten* calls a Noble Word) who being urged to put *Sir Walter* on Martial Law: *That I would do*, ſaid he, *if he were my Friend.*

However, this Expedition was not ſo glorious and great as at firſt they hoped it might have been. For after burning the Town, and taking *Flores*, *Gratioſa*, and *Villa Franca* in *St. Michaels*, with three *American Spaniſh* Ships, together with the burning of a *Carack*, they came home much torn, leaky, and weather-beaten about the end of *October*. This Expedition was commented on variouſly by the People, who were ſtrangely carried on with a blind Paſſion for *Eſſex*, and ſo very prone to miſconſtrue *Raleigh*'s Actions, from a Prejudice they had entertain'd,

tain'd, that becauſe he was not *Eſſex*'s friend, he muſt be an enemy to his Country. However, the Queen look'd on him with another eye, and he grew faſter in her favour than his Rival, who from this time began rather to decline, by a fault *Sir Walter* was afterwards guilty of, Inſatiable Ambition; a Principle that put him on thoſe Practices which brought him afterwards to the Block. *Eſſex* was incens'd that Sir *Robert Cecil*, *Raleigh*'s Friend, was preferr'd in his abſence. And becauſe the Earl's Concerns are woven amongſt *Sir Walters*, it will not be impertinent to give ſome Account of him here.

Eſſex was arrived to the heighth of Favour, and might have ſtaid there, had he taken his Meaſures aright; had he own'd an Obſequiouſneſs to the Queen, or been Maſter of the great Requiſit in a Cour-

tier, *Diſſimulation*; but it was a part of his Character to be a great Reſenter, and a weak Diſſembler of the leaſt Diſgrace. His *Ireland* Tranſactions were ill conſtrued, and his Miſcarriages nicely diſſected by the curious Eyes of thoſe State-Anatomiſts, the Lord-Treaſurer *Buckhurſt*, the Lord-Admiral *Nottingham*, and his mortal Enemy Secretary *Cecil*, who began to remove him out of that Favour he had long poſſeſt. But it was true, as the Earl of *Clarendon* has obſerv'd, "That though he was "Rival'd by a ſtrong and ſubtile "Faction, which cared, conſulted for "his Ruine; yet the Danger was "thus allayed, that they were all his "publick and profeſſed Enemies, "and ſo known to the Queen, that "they durſt never impertinently "urge ought againſt him, ſince they "were ſure that Malice was concluded,

"cluded, when the Reaſon of their "Objection haply might not be "conſidered.

However, in 1601 the Earl drew near his Ruine: for being hurried on by *Cuffs* ill Counſel, and his own Diſcontents, he projects new Plots againſt the State, and tampers with the King of *Scots* to remove his Enemies at Court by force, informing him that the Power of the Nation lay in their hands, *Raleigh* being Governour of *Jerſey*, &c. and other of his Enemies having the ſtrength of the Nation at their command. And vainly preſuming upon the Love of the Citizens, he projects to ſeize the Court, and ſecure *Raleigh*, as the moſt conſiderable Enemy he had. Of which Deſigns *Gorges* informs Sir *Walter*. The better to carry on his deſigns, *Eſſex* goes into *London*, where he endeavour'd to excite the Citi-

zens

zens to an Insurrection: But the City then being Rich, was not so apt to rebel; Rebellion being usually the Daughter of Poverty and Discontent. For these Treasonable Actions, being found guilty, he was condemned and executed.

That he died bravely and like a Gentleman, is not to be question'd; but that Sir *Walter Raleigh* should come openly to see him die, on purpose only to fat his Eyes with the Sacrifice of his Enemy, can never be granted, if we may believe himself in the same circumstances on the Scaffold, where he told his Auditors on the words of a Dying-man, he only came there to defend himself if any thing had been urg'd against him by the Earl.

Thus ended that Favourite, whose Death struck a damp on the Queens prosperous days, and gave blackness

to

to her declining Reign. This Blow, like that of Gunpowder, not only blew up his Friends and Neighbours, but ſhook his Enemies at a diſtance; for it reach'd Sir *Walter* too, who wanting ſtrength to grapple with his Rival the Treaſurer, and not owning humility enough to be his Servant, periſh'd at laſt in the Encounter. This himſelf preſag'd (if we may believe *Osborn*) as he came from the Execution of *Eſſex*, in a Boat, when he was heard to ſay, *That it was more ſafe to have many Enemies at Court of equal power, than one falſe and ambitious Friend who hath attain'd to the abſoluteneſs of Command.*

The Queen could not long ſurvive her Favourite; for I find her Death to be the next year following. A Queen who had enrich'd the Nation, reform'd Religion, curb'd the Pride of *Spain*, ſupported *France*, preſerv'd

ſerv'd *Scotland*, protected the *Hollander* againſt the *Spaniard*, and had vanquiſh'd his Armies by Sea and Land, reduc'd *Ireland* to obedience notwithſtanding all the ſubtil Practices of *Spain*, and open Aſſiſtance given in Arms to her *Iriſh* Rebels; with many other things, which might ſeem too much to be the Atchievements of one Reign.

1602 King *James* her Succeſſor came to the poſſeſſion of a Kingdom arrived at the heighth of Proſperity, which like other Bodies when they are at their Ἀκμὴ tend to Corruption, and degenerate. This Sir *Walter* perceiv'd, & would have (as he thought) remedied. Sir *John Forteſcue*, the Lord *Cobham*, *Sir Walter*, and others, would have obliged the King by Articles before his coming to the Crown, that his Country-mens number ſhould be limited: But this was

ſtopt

ſtopt by the prudent Treaſurer, and the bold *Northumberland*. *Sir Walter* fear'd that the *Scots*, like Locuſts, would quickly devour this Kingdom; it being probable that (like the *Goths* and *Vandals*) they would ſettle in any Country rather than their own, and would make it their buſineſs to render our Nation as poor as their own: for this, he, with the reſt of them, was afterwards frown'd on by the King, and loſt his Command of the Guards.

However, Sir *Walter* ſtill purſued the Good and Glory of his Country; and as formerly in Active Times, gave his Advice againſt the Peace with *Spain*, which might now with no great difficulty be brought on its knees. At the entrance of the King he preſented him with a Manuſcript of his own writing, with no weak Arguments againſt the Peace. But

Sir

Sir *VValter* was miſtaken; for his Counſel was ill tim'd, and a new *Part* was now to be acted, the *Scene* being changed. Peace was the King's Aim, whether out of Fear, or Religious Principles I determine not. But with *Spain* a Peace is concluded, with an Enemy already humbled, who now had time given them to recover their former Loſſes, and were as it were cheriſh'd to aſſault us with the greater vigor: which how true it proved every Man can tell. And as if the King would quite run counter to the Queens Politiques, the Eſtates of the *Netherlands* are deſpiſed, ſlighted, and deſerted, under pretence that it were of ill example for a Monarch to protect them.

The King is hardly warm in his Throne, but there is a great noiſe of a Plot, generally call'd *Sir Walter Raleigh's Treaſon*; but upon vvhat Grounds

Grounds I know not, ſince he had the leaſt hand in it, as by his Tryal will appear. A Plot that is ſtill a Myſtery, and hath a Vail ſpread over it; A Plot compos'd of ſuch a Hodg-podg of Religion and Intereſts, that the World ſtands amazed Sir *Walter Raleigh* ſhould ever be drawn into it; A Plot ſo unlikely to hurt others, or benefit themſelves, that as *Osborn* tells us, *If ever Folly was capable of the title, or Pity due to Innocence, theirs might claim ſo large a ſhare, as not poſſibly to be too ſeverely condemn'd, or ſlightly enough puniſhed.* Envy and Diſdain, as *Sir Walter* has told us in his *Remains*, ſeek Innovation by Faction. Diſcontent is the great Seducer, which at firſt put him to ſearch into a Plot, he afterwards was betray'd into. The chief Ingredients in this Medley were two Prieſts, *Watſon* and *Clerk*, and Count *Arembergh*, Ambaſſador Extraordinary

ry for the Arch-Duke, who brought in *Cobham*, and he his Brother *George Brook*, both *Proteſtants*, at leaſt ſeeming ſo; *George Brook* hook'd in *Parham* and others, and they the Lord *Grey* of *Wilton*, a rank *Puritan*; then came in Sir *Walter*, the wiſeſt of them all according to *Sanderſon*, who as he tells us, dallied like a Fly in the flame till it conſum'd him. Willing he was to know it, and thought by his Wit to over-reach the Confederates, whom he knew well enough, thô he dealt with none but *Cobham*, as I can find out. One Mr. *Lawrency* an *Antwerp*-Merchant, was the property made uſe of by *Arembergh*, and a Crony of the Lord *Cobhams*. Theſe carried on the Contrivance a long while, which (as *Sanderſon* tells us) was betray'd by *Lawrency*, and the vigilancy of *Cecil*. And indeed it was morally impoſſible that ſo ma-

ny

ny disagreeing weak Souls should carry on a Project without taking Air; the least glimpse being enough to give light to the States-men of those times. Their Designs were,

1. To set the Crown on the Lady *Arabella*; or to seize the King, and make him grant their Desires, and a Pardon.
2. To have a Toleration of Religion.
3. To procure Aid and Assistance from Foreign Princes.
4. To turn out of the Court such as they disliked, and place themselves in Offices.

Watson to be Lord-Chancellor.
George Brook Lord-Treasurer.
Sir *Griffin Markham* Secretary of State.
Lord *Grey* Master of the Horse, and Earl-Marshal of *England*.

But it seems they made no provision for Sir *Walter*; which is no inconsiderable Argument of his Innocency, who could have deserv'd, and might have expected as great a Reward as any of them, had he been engaged in the Plot.

To oblige to Secrecy, *Watson* draws up an Oath. But all is betray'd; they are seiz'd, examin'd, and try'd. How well or ill Sir *Walter* has acquitted himself, we shall leave to the Opinion of the Readers of the following TRYAL, which was exactly and faithfully taken.

THE

THE ARRAIGNMENT OF Sir *Walter Raleigh*, Knight.

AT *Winton*, Thursday the 17th of *November*, *Anno Dom.* 1603, before the Right Honourable,
The Earl of *Suffolk*, Lord Chamberlain.
Earl of *Devon*.
Lord *Henry Howard*.
Lord *Cecil*, Earl of *Salisbury*.
Lord *Wotton*.
Sir *John Stanhope*, Vice-Chamberlain.
Lord Chief-Justice of *England*, *Popham*.
Lord Chief-Justice of the Common-Pleas, *Anderson*.
Justice *Gaudie*.

Juſtice *Warburton*, and Sir *William Wade* Commiſſioners.

Firſt, The Commiſſion of *Oyer* and *Terminer* was read by the Clerk of the Crown-Office; and the Priſoner bid hold up his Hand.

And then preſently the INDICTMENT was in effect as followeth:

THat he did *Conſpire, and go about to deprive the King of his Government; to raiſe up Sedition within the Realm; to alter Religion, to bring in the* Roman Superſtition, *and to procure Foreign Enemies to invade the Kingdoms. That the Lord* Cobham, *the ninth of* June *laſt, did meet with the ſaid Sir* Walter Raleigh *in* Durham-*Houſe, in the Pariſh of St.* Martins *in the* Fields, *and then and there had Conference with him, how to advance* Arabella Stuart *to the Crown and Royal Throne of this Kingdom; and that then and there it was agreed, that*

that Cobham *ſhould treat with* Aremberg, *Embaſſador from the Arch-Duke of* Auſtria, *to obtain of him* 600000 *Crowns, to bring to paſs their intended Treaſons. It was agreed that* Cobham *ſhould go to the Arch-Duke* Albert, *to procure him to advance the pretended Title of* Arabella: *from thence knowing that* Albert *had not ſufficient means to maintain his own Army in the* Low-Countries, Cobham *ſhould go to* Spain *to procure the King to aſſiſt and further her pretended Title.*

It was agreed, the better to effect all this Conſpiracy, that Arabella *ſhould write three Letters, one to the Arch-Duke, another to the King of* Spain, *and a third to the Duke of* Savoy, *and promiſe three things: Firſt, to eſtabliſh firm Peace between* England *and* Spain. *Secondly, To tolerate the* Popiſh *and* Roman *Superſtition. Thirdly, To be ruled by them in contracting of her Marriage.*

And for the effecting theſe Traiterous

Purpoſes, Cobham *ſhould return by the Iſle of* Jerſey, *and ſhould find Sir* Walter Raleigh *Captain of the ſaid Iſle there, and take Counſel of* Raleigh *for the diſtributing of the aforeſaid Crowns, as the Occaſion or Diſcontentment of the Subjects ſhould give cauſe and way.*

And further, That Cobham *and his Brother* Brook *met on the 9th of* June *laſt, and* Cobham *told* Brook *all theſe Treaſons: To the which Treaſons* Brook *gave his Aſſent, and did joyn himſelf to all theſe; and after on the Thurſday following,* Cobham *and* Brook *did ſpeak theſe words:* That there would never be a good World in *England,* till the King *(meaning our Soveraign Lord)* and his Cubs *(meaning his Royal Iſſue)* were taken away.

And the more to diſable and deprive the King of his Crown, and to confirm the ſaid Cobham *in his Intents,* Raleigh *did publiſh a Book, falſly written againſt the moſt juſt*

juſt and Royal Title of the King, knowing the ſaid Book to be written againſt the juſt Title of the King; which Book Cobham *after that received of him. Further, for the better effecting theſe Traiterous Purpoſes, and to eſtabliſh the ſaid* Brook *in his Intent, the ſaid* Cobham *did deliver the ſaid Book unto him the* 14*th of* June. *And further, the ſaid* Cobham, *on the* 16*th of* June, *for accompliſhment of the ſaid Conference, and by the traiterous Inſtigation of* Raleigh, *did move* Brook *to incite* Arabella *to write to the three forenamed Princes, to procure them to advance her Title; and that ſhe, after ſhe had obtained the Crown, ſhould promiſe to perform three things, viz. Peace between* England *and* Spain. 2. *To tolerate with impunity the* Popiſh *and* Roman *Superſtitions.* 3. *To be ruled by them three in the contracting of her Marriage.*

To theſe Motions the ſaid Brook *gave his Aſſent. And for the better effecting of the ſaid Treaſons,* Cobham *on the ſeventeenth*

of June, *by the Inſtigation of* Raleigh, *did write Letters to Count* Aremberg, *and did deliver the ſaid Letters to one* Matthew *de* Lawrency, *to be delivered to the ſaid Count: which he did deliver for the obtaining of the* 600000 *Crowns; which Money by other Letters Count* Aremberg *did promiſe to perform the payment of; and this Letter* Cobham *received the eighteenth of* June. *And then did* Cobham *promiſe to* Raleigh, *that when he had received the ſaid Mony, he would deliver* 8000 *Crowns to him: to which motion he did conſent; and afterwards* Cobham *offered* Brook, *that after he ſhould receive the ſaid Crowns, he would give to him* 10000 *thereof; to which Motion* Brook *did aſſent.*

To the Indictment Sir *Walter Raleigh* pleaded Not Guilty.

The

The JURY.

Sir *Ralph Conisby*,
Sir *Thomas Fowler*,
Sir *Edward Peacock*,
Sir *William Rowe*, } Knights.

Henry Goodyer,
Roger Wood,
Thomas Walker,
Thomas Whitby, } Esquires.

Thomas Highgate,
Robert Kempthon,
John Chawkey,
Robert Brumley, } Gentlemen.

Sir *Walter Raleigh* Priſoner, was asked, whether he would take Exceptions to any of the Jury?

Raleigh. I know none of them; they are all Chriſtians, and honeſt Gentlemen, I except againſt none.

E. *Suff.*

E. *Suff.* You Gentlemen of the Kings Learned Counſel, follow the ſame courſe as you did the other day.

Raleigh. My Lord, I pray you I may anſwer the Points particularly as they are delivered, by reaſon of the weakneſs of my memory and ſickneſs.

Popham, Chief Juſtice. After the Kings Learned Counſel have delivered all the Evidence, Sir *Walter*, you may anſwer particularly to what you will.

Heale, the Kings Serjeant at Law. You have heard of *Raleigh*'s bloody Attempts to kill the King and his Royal Progeny, and in place thereof to advance one *Arabella Stuart*: The particulars of the Indictment are theſe. Firſt, That *Raleigh* met with *Cobham* the ninth of *June*, and had Conference of an Invaſion, of a Rebellion, and an Inſurrection, to be made by the King's Subjects, to depoſe the King, and to kill his Children, poor Babes that never gave offence: Here

is

is Blood, here is a new King and Governour. In our King consists all our Happiness, and the true use of the Gospel, a thing which we all wished to be setled after the death of the Queen. Here must be Money to do this, for Money is the Sinew of War. Where should that be had? Count *Aremberg* must procure it of *Philip* King of *Spain*, five or six hundred thousand Crowns, and out of this Sum *Raleigh* must have eight thousand. But what is that Count *Aremberg*? though I am no good *French*-man, yet it is as much as to say in *English*, Earl of *Aremberg*. Then there must be Friends to effect this: *Cobham* must go to *Albert* Arch-Duke of *Austria*, for whom *Aremberg* was Ambassador at that time in *England*. And what then? He must perswade the Duke to assist the pretended Title of *Arabella*. From thence *Cobham* must go to the King of *Spain*, and perswade him to assist the said

ſaid Title. Since the Conqueſt there was never the like Treaſon. But out of whoſe Head came it? Out of *Raleigh's*, who muſt alſo adviſe *Cobham* to uſe his Brother *Brook* to incite the Lady *Arabella* to write three ſeveral Letters, as aforeſaid in the Indictment; all this was on the ninth of *June*. Then three days after *Brook* was acquainted with it: After this *Cobham* ſaid to *Brook*, It *will never be well in* England *till the King and his* Cubs *are taken away*. Afterwards *Raleigh* delivered a Book to *Cobham*, treacherouſly written againſt the Title of the King. It appears that *Cobham* took *Raleigh* to be either a God, or an Idol. *Cobham* endeavours to ſet up a new King, or Governour. God forbid mine Eyes ſhould ever ſee ſo unhappy a change. As for the Lady *Arabella*, ſhe upon my Conſcience hath no more title to the Crown than I have, which before God I utterly renounce.

Cobham

Cobham a Man bred in *England*, hath no experience abroad: but *Raleigh*, a Man of great Wit, Military, and a Swordman. Now whether theſe things were bred in a hollow Tree, I leave to them to ſpeak of, who can ſpeak far better than my ſelf. *And ſo ſate him down again.*

Sir Edward Cook, the Kings Atturney.

I muſt firſt, my Lords, before I come to the Cauſe give one Caution, becauſe we ſhall often mention Perſons of eminent Places, ſome of them great Monarchs: What ever we ſay of them, we ſhall but repeat what others have ſaid of them; I mean the Capital Offenders in their Confeſſions: We profeſſing Law, muſt ſpeak reverently of Kings and Potentates. I perceive theſe honourable Lords, and the reſt of this great Aſſembly, are come to hear what hath been ſcattered upon the Wrack of Report. We carry a juſt Mind, to condemn

demn no man but upon plain Evidence. Here is Miſchief, Miſchief in *ſummo Gradu*, exorbitant Miſchief. My Speech ſhall chiefly touch theſe three Points; *Imitation*, *Supportation*, and *Defence*.

The Imitation of Evil ever exceeds the Precedent; as on the contrary Imitation of Good ever comes ſhort. Miſchief cannot be ſupported but by Miſchief; yea, it will ſo multiply, that it will bring all to confuſion. Miſchief is ever underprop'd by Falſhood of foul Practices. And becauſe all theſe things did concur in this Treaſon, you ſhall underſtand the Main, as before you did the Bye.

The Treaſon of the Bye, conſiſteth in theſe Points: Firſt, That the Lord *Grey*, *Brook*, *Markham*, and the reſt, intended by Force in the Night to ſurprize the King's Court: which was a Rebellion in the Heart of the Realm, yea in the Heart of the Heart, in the Court.

They

They intended to take him that is a Sovereign, to make him ſubject to their Power, purpoſing to open the Doors with Muſquets and Calievers, and to take alſo the Prince and Council. Then under the King's Authority to carry the King to the Tower; and to make a *Stale of the Admiral*. When they had the King there, to extort three things from him: Firſt, A Pardon for all their Treaſons. Secondly, A Toleration of the *Roman* Superſtition: Which, their Eyes ſhall ſooner fall out than they ſhall ever ſee; for the King hath ſpoken theſe words in the hearing of many, *I will loſe the Crown, and my Life, before ever I will alter Religion.* And, thirdly, To remove Counſellors: In the room of the Lord Chancellor; they would have plac'd one *Watſon* a Prieſt, abſurd in Humanity, and ignorant in Divinity. *Brook*, of whom I will ſpeak nothing, Lord Treaſurer. The great Secretary

must

muſt be *Markham, Oculus Patriæ.* A Hole muſt be found in my Lord Chief Juſtice's Coat. *Grey* muſt be Earl-Marſhal, and Maſter of the Horſe, becauſe he would have a Table in the Court: marry, he would advance the Earl of *Worceſter* to an higher Place. All this cannot be done without a Multitude. Therefore *Watſon* the Prieſt tells a Reſolute Man that the King was in danger of *Puritans* and *Jeſuites*; ſo to bring him in blindfold into the Action, ſaying, that the King is no King till he be Crown'd; therefore every Man might right his own Wrongs: but he is *Rex natus*, His Dignity deſcends as well as yours, my Lords. Then *Watſon* impoſeth a *blaſphemous Oath*, That they ſhould ſwear to defend the King's Perſon; to keep ſecret what was given them in charge, and ſeek all ways and means to advance the Catholick Religion. Then they intend to ſend for the

the Lord Mayor and the Aldermen, in the King's Name, to the Tower, leſt they ſhould make any Reſiſtance, and then to take Hoſtages of them; and to enjoyn them to provide for them Victuals and Munition. *Grey*, becauſe the King removed before *Midſommer*, had a further reach, to get a company of Sword-men to aſſiſt the Action: Therefore he would ſtay till he had obtained a Regiment from *Oſtend*, or *Auſtria*. So you ſee theſe Treaſons were liſte *Sampſon*'s Foxes, which were joyned in their Tails, though their Heads were ſevered.

Raleigh. You Gentlemen of the Jury, I pray remember I am not charged with the Bye, being the Treaſon of the Prieſt.

Attorney. You are not. My Lords, you ſhall obſerve three things in the Treaſons: Firſt, They had a Watch-word (the King's ſafety) their Pretence

was *Bonum in ſe*, their Intent was *Malum in ſe*. Secondly, They avouched Scripture; both the Prieſts had *Scriptum eſt*; perverting and ignorantly miſtaking the Scriptures. Thirdly, They avouched the Common Law, to prove that he was no King till he was crowned; alledging a Statute of *Eliz.* 13. This, by way of Imitation, hath been the courſe of all Traytors.

In the 20th of *Edw.* the 2d, *Iſabella* the Queen, and the Lord *Mortimer*, gave out, that the King's Perſon was not ſafe, for the good of the Church and Common-wealth.

The Biſhop of *Carlile* did preach on this Text, *My Head is grieved*: meaning by the Head, the King; that when the Head began to be Negligent, the People might reform what is amiſs.

In the 3d *Hen.* 4. Sir *Roger Claringdon* accompanied with two Prieſts, gave out, that *Richard* the Second was

A-

Alive, when he was Dead.

Edward the 3*d* cauſed *Mortimers* Head to be cut off, for giving counſel to murther the King.

The 3. *Hen* 7. Sir *Henry Stanly* found the Crown in the Duſt, and ſet it on the King's Head; when *Fitzwater* and *Garret* told him that *Edward* the 5*th* was alive, he ſaid, *If I be alive, I will aſſiſt him.* But this coſt him his Head.

Edmond de la Pool, Duke of *Suffolk*, killed a Man in the Reign of King *Henry* the 7*th*, for which the King would have him hold up his hand at the Bar, and then Pardoned him. Yet he took ſuch an Offence thereat, that he ſent to the Noblemen, to help to reform the Common-wealth; and then ſaid, he would go to *France*, and get Power there. Sir *Roger Compton* knew all the Treaſon, and diſcovered *Windon* and others, that were Attainted.

He ſaid there was another thing that

would be ſtood upon, namely, *that they had but one Witneſs.* Then he vouched one *Appleyard's* Caſe, a Traytor in *Norfolk*, who ſaid a Man muſt have two Accuſers. *Helms* was the Man that accuſed him; but Mr. *Juſt. Catlin* ſaid, that that that Statute was not in force at that day. His words were [*Thruſt her into the Ditch.*]

Then he went on ſpeaking of Accuſers, and made this difference: An Accuſer is a ſpeaker by Report, when a Witneſs is he that upon his Oath ſhall ſpeak his knowledg of any Man.

A third ſort of Evidence there is likewiſe, and this is held more forcible than either of the other two; and that is, when a Man by his Accuſation of another, ſhall by the ſame Accuſation alſo condemn himſelf, and make himſelf liable to the ſame Fault and Puniſhment: this is more forcible than many Witneſſes. So then ſo much by way

of

of Imitation. Then he defined Treaſon; there is Treaſon in the Heart, in the Hand, in the Mouth, in Conſummation: comparing that in *Corde* to the Root of a Tree; in *Ore*, to the Bud; in *Manu*, to the Bloſſom; and that which is *in Conſummatione*, to the Fruit.

Now I come to your Charge, you of the Jury. The greatneſs of Treaſon is to be conſidered in theſe two things, *Determinatione finis*, and *Electione mediorum*. This Treaſon excelleth in both, for that it was to deſtroy the King and his Progeny. Theſe Treaſons are ſaid to be *Crimen læſæ Majeſtatis*; this goeth further, and may be term'd *Crimen exterpandæ Regiæ Majeſtatis, & totius Progeniei ſuæ*. I ſhall not need, my Lords, to ſpeak any thing concerning the King, nor of the Bounty and Sweetneſs of his Nature, whoſe Thoughts are Innocent, whoſe Words are full of Wiſdom and Learning, and

whose Works are full of Honour; although it be a true saying, *Nunquam nimis quod nunquam satis.* But to whom do you bear your Malice? to the Children?

Raleigh, To whom speak you this? You tell me News I never heard of.

Attourney. Oh Sir, do I? I will prove you the Notoriousest Traytor that ever came to the Bar. After you have taken away the King, you would alter Religion: as you, Sir *Walter Raleigh*, have followed them of the Bye in Imitation; for I will charge you with the words.

Raleigh. Your words cannot condemn me, my Innocency is my Defence: Prove one of these things wherewith you have Charg'd me, and I will confess the whole Indictment, and that I am the horriblest Traytor that ever lived, and worthy to be Crucifi'd with a thousand thousand *Torments.*

Attour-

Attourney. Nay, I will prove all: Thou art a Monſter, thou haſt an *Engliſh* Face, but a *Spaniſh* Heart. Now you muſt have Money: *Aremberg* was no ſooner in *England* (I Charge thee *Raleigh*) but thou incitedſt *Cobham* to go unto him, and to deal with him for Money, to beſtow on diſcontented Perſons, to raiſe Rebellion on the Kingdom.

Raleigh. Let me Anſwer for my ſelf.

Attourney. Thou ſhalt not.

Raleigh. It concerneth my Life.

Lord Chief Juſtice Popham. Sir *Walter Raleigh*, Mr. *Attourney* is but yet in the General, but when the Kings Counſel have given the Evidence wholly, you ſhall Anſwer every Particular.

Attourney. Oh! do I touch you.

Lord Cecil. Mr. *Attourney*, when you have done with this General Charge,

do you not mean to let him answer to every Particular?

Attourney. Yes, when we deliver the Proofs to be read. *Raleigh* procured *Cobham* to go to *Aremberg*, which he did by his Instigation: *Raleigh* supped with *Cobham* before he went to *Aremberg*; after Supper, *Raleigh* conducted him to *Durham* House; from whence *Cobham* went with *Lawrency*, a Servant of *Aremberg*'s, unto him, and went in by a Back-way. *Cobham* could never be quiet until he had entertain'd this Motion, for he had four Letters from *Raleigh*. *Aremberg* answered, the Money should be performed, but knew not to whom it should be distributed. Then *Cobham* & *Lawrency* came back to *Durham* House, where they found *Raleigh*. *Cobham* and *Raleigh* went up, and left *Lawrency* below, where they had secret Conference in a Gallery, and after *Cobham* and *Lawrency* departed from

from *Raleigh*. Your *Jargon* was Peace! What is that? *Spaniſh* Invaſion, *Scottiſh* Subverſion. And again, you are not a fit Man to take ſo much Money for procuring of a Lawful Peace, for Peace procur'd by Money is diſhonourable. Then *Cobham* muſt go to *Spain*, and return by *Jerſey*, where you were Captain: And then becauſe *Cobham* had not ſo much Policy, or at leaſt Wickedneſs as you, he muſt have your advice for the diſtribution of the Money. Would you have depoſed ſo good a King, lineally deſcended of *Elizabeth*, Eldeſt Daughter of *Edward* the 4*th*? why then muſt you ſet up another? I think you meant to make *Arabella* a Titular Queen, of whoſe Title I will ſpeak nothing, but ſure you meant to make her a Stale: Ah good Lady! you could mean her no good.

Raleigh. You tell me News, Mr. *Attourney*.

Attour-

Attourney. Oh Sir! I am the more large, becauſe I know with whom I deal: For we have to deal to day with a Man of Wit.

Raleigh. Did I ever ſpeak with this Lady?

Attourney. I vvill track you out before I have done: *Engliſh-Men* vvill not be led by perſvvaſion of Words, but they muſt have Books to perſvvade.

Raleigh. The Book vvas written by a Man of your Profeſſion, Mr. *Attourney.*

Attourney. I vvould not have you Impatient.

Raleigh. Methinks you fall out vvith your ſelf, I ſay nothing.

Attourney. By this Book you vvould perſvvade Men that he is not the Lavvful King. Novv let us conſider ſome Circumſtances: My Lords, you know my Lord *Cobham* (for vvhom vve all La-

Lament, and Rejoyce; Lament in that his Houſe, which hath ſtood ſo long unſpotted, is now Ruinated; Rejoyce, in that his Treaſons are Reveal'd): he is neither Politician nor Sword-Man; *Raleigh* was both, united in the Cauſe with him, and therefore cauſe of his Deſtruction. Another Circumſtance is the ſecret Contriving of it. *Humphry Stafford* claimed Sanctuary for Treaſon. *Raleigh* in his Machivilian Policy hath made a Sanctuary for Treaſon. He muſt talk with none but *Cobham*, becauſe (ſaith he) one Witneſs can never condemn me. For *Brook* ſaid unto Sir *Griffith Markham*, *Take heed how you do make my Lord* Cobham *acquainted; for whatſoever he knoweth*, Raleigh *the Witch will get it out of him.* As ſoon as *Raleigh* was examined on one Point of Treaſon concerning my Lord *Cobham*, he wrote to him thus; *I have been examined of you, and*

con-

confeſſed nothing. Further you ſent to him by your truſty *Francis Kemiſh*, that one Witneſs could not condemn; and therefore bad his Lordſhip be of good Courage. Came this out of *Cobham's* Quiver? No: But out of *Raleigh's* Machivilian and Deviliſh Policy. Yea, but *Cobham* did retract it; Why then did you urge it? Now then ſee the moſt horrible Practices that ever came out of the bottomleſs Pit of the Loweſt Hell. After that *Raleigh* had Intelligence that *Cobham* had Accuſed him, he endeavoured to have Intelligence from *Cobham*, which he had gotten by young Sir *John Payton*: But I think it was the Error of his Youth.

Raleigh. The Lords told it me, or elſe I had not been ſent to the Tower.

Attourney. Thus *Cobham* by the Inſtigation of *Raleigh*, entred into theſe Acti-

Actions: So that the Queſtion will be, Whether you are not the principal Traitor, and he would nevertheleſs have entred into it? Why did *Cobham* retract all that ſame? Firſt, becauſe *Raleigh* was ſo Odious, he thought he ſhould fare the worſe for his ſake. Secondly, he thought thus with himſelf, If he be free, I ſhall clear my ſelf the better. After this *Cobham* asked for a *Preacher* to Confer with, pretending to have Doctor *Andrews*; but indeed he meant not to have him, but Mr. *Galloway*; a Worthy and Reverend *Preacher*, who can do more with the King (as he ſaid) than any other; that he, ſeeing his conſtant Denial, might inform the King thereof. Here he plays with the *Preacher*. If *Raleigh* could perſwade the Lords, that *Cobham* had no Intent to travel, then he thought all ſhould be well. Here is Forgery. In the Tower *Cobham* muſt write to

Sir

Sir *Thomas Vane*, a worthy Man, that he meant not to go into *Spain*; which Lettter *Raleigh* deviſed in *Cobham's* Name.

Raleigh. I will waſh my hands of the Indictment, and die a true Man to the King.

Attourney. You are the abſoluteſt Traytor that ever was.

Raleigh. Your Phraſes will not prove it, Mr. *Attourney*.

Attourney. *Cobham* writeth a Letter to my Lord *Cecil*, and doth will *Mellus* his Man, to lay it in a *Spaniſh* Bible, and to make as though he found it by chance. This was after he had Intelligence with this Viper, that he was falſe.

Lord Cecil. You mean a Letter intended to me, I never had it.

Attourney. No, my Lord, you had it not. You, my Maſters of the Jury, reſpect not the Wickedneſs and Hatred of the

the Man, reſpect his *Cauſe*; if he be guilty, I know you will have care of it, for the Preſervation of the King, the Continuance of the Goſpel authoriſed, and the Good of us all.

Raleigh. I do not hear yet, that you have ſpoken one word againſt me, here is no Treaſon of mine done: If my Lord *Cobham* be a Traytor, what is that to me?

Attourney. All that he did was by thy Inſtigation, thou Viper; for I *thou* thee, thou *Traytor*.

Raleigh. It becometh not a Man of Quality and Virtue, to call me ſo: But I take comfort in it, it is all you can do.

Attourney. Have I anger'd you?

Raleigh. I am in no Caſe to be angry.

Popham. Sir *Walter Raleigh*, Mr. *Attourney* ſpeaketh out of the Zeal of his Duty, for the Service of the King,

and

and you for your Life; be valiant on both ſides.

Now they proceed to the Reading the Proofs.

The Lord Cobham's *Examination Read.*

'He confeſſeth he had a Paſsport to 'go into *Spain*, intending to go to the 'Arch-Duke to confer with him about 'theſe Practices; and becauſe he knew 'the Arch-Duke had not Money to pay 'his own Army, from thence he meant 'to go to *Spain*, to deal with the King 'for the 600000 Crowns, and to re-'turn by *Jerſey*, and that nothing 'ſhould be done, until he had ſpoken 'with Sir *Walter Raleigh* for diſtribution 'of the Money, to them which were 'diſcontented in *England*. At the firſt 'beginning he breathed out Oaths and

'Excla-

'Exclamations againſt *Raleigh*, calling 'him Villain and Traytor; ſaying 'he had never entred into theſe Cour- 'ſes, but by his Inſtigation, and that 'he would never let him alone.

Here Mr. *Attourney* willed the Clerk of the Crown Office to read over theſe laſt words again (*he would never let him alone.*)

The Lord Cobham's *Examination.*

'Beſides he ſpake of Plots and Inva- 'ſions: Of the Particulars whereof 'he could give no Account, though '*Raleigh* and he had conferred of them. 'Further, he ſaid, He was afraid of *Ra-* '*leigh*, that when he ſhould return by '*Jerſey*, that he would have him and 'the Money to the King. Being Exa- 'mined of Sir *Arthur Gorge*, he freed 'him, ſaying:

They never durſt truſt him, but Sir *Arthur Savage* they intended to uſe, becauſe they thought him a fit Man.

Raleigh. Let me ſee the Accuſation: This is abſolutely all the Evidence can be brought againſt me; poor ſhifts! You Gentlemen of the Jury, I pray you underſtand this: This is that which muſt either condemn, or give me Life; which muſt free me, or ſend my Wife and Children to beg their Bread about the Streets. This is that muſt prove me a notorious Traytor, or a true Subject to the King. Let me ſee my Accuſation, that I may make my Anſwer.

Clerk of the Council. I did read it, and ſhew you all the Examinations.

Raleigh. At my firſt Examination at *Windſor*, my Lords asked me, what I knew of *Cobham's* Practice with *Aremberg*? I anſwered Negatively: And as con-

concerning *Arabella*, I proteſt before God, I never heard one word of it. If that be proved, let me be guilty of ten thouſand Treaſons. It is a ſtrange thing you will impute that to me, when I never heard ſo much as the Name of *Arabella Stuart*, but only the Name of *Arabella*.

After being Examined, I told my Lords, that I thought my Lord *Cobham* had Conference with *Aremberg*, I ſuſpected his Viſiting of him: For after he departed from me at *Durham* Houſe, I ſaw him paſs by his own Stairs, and paſſed over to *St. Mary Saviours*, where I knew *Lawrency*, a Merchant, and a Follower of *Aremberg*, lay, and therefore likely to go unto him. My Lord *Cecil* asked my Opinion concerning *Lawrency*; I ſaid, that if you do not apprehend *Lawrency*, it is dangerous he will flie; if you do apprehend him, you ſhall give my Lord *Cobham* notice

thereof. I was asked likewiſe, who was the greateſt Man with my Lord *Cobham*? I anſwered, I knew no Man ſo great with him, as young *Wyat* of *Kent*.

Aſſoon as *Cobham* ſaw my Letter to have diſcovered his Dealing with *Aremberg*, in his Fury he accuſed me, but before he came to the Stair-foot he repented, and ſaid he had done me wrong. When he came to the end of his Accuſation, he added, That if he had brought this Money to *Jerſey*, he fear'd that I would have deliver'd him and the Money to the King. Mr. *Attorney*, you ſaid this never came out of *Cobham*'s Quiver, he is a ſimple Man. Is he ſo ſimple? No: He hath a Diſpoſition of his own, he will not eaſily be guided by others, but when he has once taken Head in a Matter, he is not eaſily drawn from it; he is no Babe. But it is ſtrange for me to de-

viſe

viſe with *Cobham*, that he ſhould go to *Spain*, to perſwade the King to diſburſe ſo much Money, he being a Man of no Love in *England*, and I having reſigned my room of chiefeſt Command, the Wardenſhip of the *Stanneries*: Is it not ſtrange for me to make my ſelf *Robin Hood*, or a *Kett*, or a *Cade*? I knowing *England* to be in better Eſtate to defend it ſelf than ever it was. I knew *Scotland* United; *Ireland* Quieted, wherein of late our Forces were diſperſed; *Denmark* aſſured, which before was Suſpected. I knew, that having a Lady whom Time had ſurprized, we had now an active King, a lawful Succeſſor, who would himſelf be preſent in all his Affairs. The State of *Spain* was not unknown to me. I had written a Diſcourſe, which I had intended to preſent unto the King, againſt Peace with *Spain*. I knew the *Spaniard* had ſix Repulſes, three in *Ireland*,

land, and three at Sea, and once in 1588 at *Cales*, by my Lord Admiral. I knew he was Diſcouraged and Diſhonoured. I knew the King of *Spain* to be the proudeſt Prince in Chriſtendom; but now he cometh Creeping to the King my Maſter for Peace. I knew whereas before he had in his Port ſix or ſeven ſcore Sail of Ships, he hath now but Six or Seven. I knew of Twenty five Millions he had from his *Indies*, he hath ſcarce one left. I knew him to be ſo Poor, that the Jeſuites in *Spain*, who were wont to have ſuch large Allowance, were fain to beg at the Church-Door. Was it ever read or heard, that any Prince ſhould diſburſe ſo much Money without a ſufficient Pawn? I knew her own Subjects, the Citizens of *London*, would not lend her Majeſty Money without Lands in Mortgage. I knevv the Queen did not lend the States Money

vvith-

without *Flushing*, *Brill*, and other Towns for a Pawn. And can it be thought, that he vvould let *Cobham* have so great a Sum?

I never came to the Lord *Cobham*'s but about matters of his Profit, as the Ordering of his House, Paying of his Servants Board-vvages, &c. I had of his vvhen I vvas examined, Four Thousand Pounds vvorth of Jewels for a Purchase; a Pearl of three thousand Pound, and a Ring vvorth five hundred Pound: If he had had a fancy to run avvay, he vvould not have left so much to have purchased a Lease in Fee Farm. I savv him buy three hundred Pounds vvorth of Books to send to his Library at *Canterbury*, and a Cabinet of thirty Pound to give to Mr. *Attourney*, for dravving the Conveyances; and God in Heaven knovveth, not I, vvhether he intended to travel or no. But for that Practice vvith *Ara-*

bella, or Letters to *Aremberg* framed, or any Diſcourſe vvith him, or in vvhat Language he ſpake unto him; if I knevv any of theſe things, I vvould abſolutely confeſs the Indictment, and acknovvledge my ſelf vvorthy ten thouſand Deaths.

Cobham's *ſecond Examination read.*

The Lord *Cobham* being required to Subſcribe to an Examination, there vvas ſhevved a Note under Sir *Walter Raleigh's* hand, the vvhich vvhen he had peruſed, he pauſed, and after brake forth into theſe Speeches; Oh Villain! Oh Traytor! I will now tell you all the Truth: And then ſaid, His purpoſe vvas to go into *Flanders*, and into *Spain*, for the obtaining the aforeſaid Money, and that *Raleigh* had appointed to meet him in *Jerſey* as he returned Home, to be adviſed of him

him about the Diſtribution of the Money.

Popham, Lord Chief Juſtice. When *Cobham* anſwer'd to the Interrogatories, he made ſcruple to ſubſcribe, and being urged to it, he ſaid, If he might hear me affirm, that a Perſon of his Degree ought to ſet his Hand, he would; I lying then at *Richmond*, for fear of the Plague, was ſent for, and I told he ought to ſubſcribe; otherwiſe it were a Contempt of a high Nature: Then he ſubſcribed. The Lords queſtioned with him further, and he ſhewed them a Letter, as I thought written to me, but it was indeed written to my Lord *Cecil*: He deſired to ſee the Letter again, and then ſaid, Oh Wretch! Oh Traytor! Whereby I perceived you had not performed that Truſt he had repoſed in you.

Raleigh. He is as paſſionate a Man as

as lives, for he hath not ſpared the beſt Friends he hath in *England* in his Paſſion. My Lords, I take it, he that has been examined, has ever been asked at the time of his Examination, if it be according to his meaning, and then to ſubſcribe. Methinks, my Lords, when he accuſes a Man, he ſhould give ſome Account and Reaſon of it; it is not ſufficient to ſay, we talked of it. If I had been the Plotter, would not I have given *Cobham* ſome Arguments, whereby to perſwade the King of *Spain*, and anſwer his Objections. I knew *Weſtmorland* and *Bothwell*, Men of other Underſtandings than *Cobham*, were ready to beg their Bread.

Sir Thomas Fowler, one of the Jury. Did Sir *Walter Raleigh* write a Letter to my Lord before he was examined concerning him, or not?

Attourney. Yes.

Lord Cecil. I am in great Diſpute with

with my ſelf to ſpeak in the Caſe of this Gentleman: A former Dearneſs between me and him tied ſo firm a Knot of my Conceit of his Virtues, now broken by a Diſcovery of his Imperfections. I proteſt, did I ſerve a King that I knew would be diſpleaſed with me for ſpeaking, in this Caſe I would ſpeak whatever came of it: But ſeeing he is compacted of Piety and Juſtice, and one that will not miſlike of any Man for ſpeaking a Truth, I will anſwer your Queſtion.

Sir *Walter Raleigh* was ſtaid by me at *Windſor*, upon the firſt News of *Copley*, that the Kings Perſon ſhould be ſurpriſed by my Lord *Grey*, and Mr. *George Brook*; when I found *Brook* was in, I ſuſpected *Cobham*, then I doubted *Raleigh* to be a partaker. I ſpeak not this, that it ſhould be thought I had greater Judgment than the reſt of my Lords, in making this haſte to have them

them examined. *Raleigh* following to *Windſor*, I met with him upon the *Tarras*, and willed him, as from the King to ſtay, ſaying, The Lords had ſomething to ſay to him: Then he was examined, but not concerning my Lord *Cobham*, but of the Surpriſing Treaſon. My Lord *Grey* was apprehended, and likewiſe *Brook*; by *Brook* we found, that he had given notice to *Cobham* of the ſurpriſing Treaſon, as he delivered it to us, but with as much ſparingneſs of a Brother as he might: We ſent for my Lord *Cobham* to *Richmond*, where he ſtood upon his Juſtification, and his Quality; ſometimes being froward, he ſaid he was not bound to ſubſcribe, wherewith we made the King acquainted. *Cobham* ſaid, if my Lord Chief Juſtice would ſay it were a Contempt, he would ſubſcribe; whereof being reſolved, he ſubſcribed. There was a Light given

to

to *Aremberg*, that *Lawrency* was examined, but that *Raleigh* knew that *Cobham* was examined, is more than I know.

Raleigh. If my Lord *Cobham* had truſted me in the Main, was not I as fit a Man to be truſted in the Bye?

Lord Cecil. *Raleigh* did by his Letters acquaint us, that my Lord *Cobham* had ſent *Lawrency* to *Aremberg*, when he knew not he had any Dealings with him.

Lord H. How. It made for you, if *Lawrency* had been only acquainted with *Cobham*, and not with you. But you knew his whole Eſtate, and were acquainted with *Cobham's* Practice with *Lawrency*, and it was known to you before, that *Lawrency* depended on *Aremberg*.

Attourney. 1. *Raleigh* proteſted againſt the ſurpriſing Treaſon. 2. That he knew not of the Matter touching

Ara-

Arabella. I would not charge you, Sir *Walter*, with a matter of Falſhood: You ſay, you ſuſpected the Intelligence that *Cobham* had with *Aremberg*, by *Lawrency*.

Raleigh. I thought it had been no other Intelligence, but ſuch as might be vvarranted.

Attourney. Then it was but lawful Suſpicion. But to that whereas you ſaid, that *Cobham* had accuſed you in Paſſion, I anſwer three Ways: 1. I obſerved vvhen *Cobham* ſaid, Let me ſee the Letter again? he pauſed, and vvhen he did ſee that Count *Aremberg* vvas touched, he cried out, Oh Traytor! Oh Villain! Now vvill I confeſs the vvhole Truth. 2. The Accuſation of a Man on Hear-ſay, is nothing: Would he accuſe himſelf on Paſſion, and ruinate his Cauſe and Poſterity, out of Malice to accuſe you? 3. Could this be out of Paſſion? Mark the manner

ner of it: *Cobh.* had told this at leaſt two months before to his Brother *Brook*, *You are Fools, you are on the Bye*, Raleigh *and I are on the Main, we mean to take away the King and his Cubs*; this he delivered two months before. So mark the manner and the matter, he vvould not turn the Weapon againſt his ovvn Boſom, and accuſe himſelf to accuſe you.

Raleigh. Hath *Cobham* confeſſed that?

Lord Chief Juſtice. This is ſpoken by Mr. *Attourney*, to prove that *Cobham's* Speech came not out of Paſſion.

Raleigh. Let it be proved that *Cobham* ſaid ſo.

Attourney. *Cobham* ſaith, He vvas a long time doubtful of *Raleigh*, that he vvould ſend him and the money to the King. Did *Cobham* fear leſt you vvould betray him in *Jerſey*? Then of

ne-

neceſſity there muſt be Truſt betvveen you. No man can betray a man but he that is truſted, in my underſtanding. This is the greateſt Argument to prove that he vvas acquainted vvith *Cobham's* Proceedings. *Raleigh* has a deeper reach than to make himſelf, as he ſaid, *Robin Hood*, a *Kett*, or *Cade*, yet I never heard that *Robin Hood* vvas a Traytor; they ſay he vvas an Outlavv. And vvhereas he ſaith, that our King is not only more Wealthy and Potent than his Predeceſſors, but alſo more Politick and Wiſe, ſo that he could have no hope to prevail. I anſvver, There is no King ſo Potent, Wiſe and Active but he may be overtaken through Treaſon. Whereas you ſay *Spain* is ſo Poor, diſcourſing ſo largely thereof: it had been better for you to have kept in *Guiana*, than to have been ſo well acquainted with the State of *Spain*. Beſides, if you could have brought

Spain

Spain and *Scotland* to have joyned, you might have hoped to prevail a great deal the better. For his six Overthrows, I answer; He hath the more Malice, because Repulses breed desire of Revenge. Then you say, you never talked with *Cobham* but about Leases, and letting Lands, and ordering his House; I never knew you Clerk of the Kitchin, &c. If you had fallen on your Knees at first, and confessed the Treason, it had been better for you. You say, he meant to have given me a Cabinet of thirty Pound, perhaps he thought by those means to have anticipated me therewith. But you say, all these are Circumstances. I answer, all this Accusation in Circumstance is true: Here now I might appeal to my Lords, that you take hold of this, that he subscribed not to the Accusation.

Lord H. How. *Cobham* was not then pressed to subscribe.

Attorney. His Accuſation being teſtified by the Lords, is of as great force, as if he had ſubſcribed. *Raleigh* ſaith again, if the Accuſer be alive, he muſt be brought face to face to ſpeak, and alledges 25*th Edw.* 3*d.* That there muſt be two ſufficient Witneſſes that muſt be brought face to face before the Accuſed, and alledgeth 10. and 13. *Eliz.*

Raleigh. You try me by the *Spaniſh* Inquiſition, if you proceed only by the Circumſtances without two Witneſſes.

Attourney. This is a Treaſonable Speech.

Raleigh. Evertere hominem juſtum in Cauſa ſua injuſtum eſt: Good my Lords, let it be proved either by the Laws of the Land, or the Laws of God, that there ought not to be two Witneſſes appointed; yet I will not ſtand to defend this Point in Law, if the King will

will have it ſo: it is no rare thing for a Man to be falſly accuſed. A Judg condemned a Woman in *Sarum* for killing her Husband, on the Teſtimony of one Witneſs; afterwards his Man confeſſed the Murder, when ſhe was executed. Who after being touched in Conſcience for the Judgment, was uſed to ſay, *Quod nunquam de hoc facto animam in vita ſua purgaret.* It is alſo commanded by the Scripture, *Allocutus eſt Jehova Moſen, In Ore duorum aut trium Teſtium*, &c.

If Chriſt requireth it, as it appeareth, *Matth* 18. If by the Canon, Civil Law, and God's Word, it be required, that there muſt be two Witneſſes at the leaſt, bear with me if I deſire one.

I would not deſire to live, if I were privy to *Cobham's* Proceedings: I had been a Slave, a Villain, a Fool, if I had endeavoured to ſet up *Arabella*,

and refuſed ſo Gracious a Lord and Sovereign: But urge your Proofs.

Lord Chief Juſtice. You have offered Queſtions on divers Statutes, all which mention two Accuſers in caſe of Indictments; you have deceived your ſelf, for the Laws of 25. *Ed.* 3. and 5. *Ed.* 6. are repeal'd. It ſufficeth now if there be Proofs made either under Hand, or by Teſtimony of Witneſſes, or by Oaths; it needs not the Subſcription of the Party, ſo there be Hands of credible Men to teſtifie the Examination.

Raleigh. It may be an Error in me, and if thoſe Laws be repeal'd, yet I hope the Equity of them remains ſtill; but if you affirm it, it muſt be a Law to Poſterity. The Proof of the Common Law is by Witneſs and Jury, let *Cobham* be here, let him ſpeak it: Call my Accuſer before my Face, and I have done.

At-

Attourney. *Scientia ſceleris eſt mera Ignorantia*: You have read the Letter of the Law, but underſtand it not. Here was your Anchor-hold, and your Randeſvouz: you truſt to *Cobham*, either *Cobham* muſt accuſe you, or no body; if he did, then it would not hurt you, becauſe he is but one Witneſs; if he did not, then you are ſafe.

Raleigh. If ever I read word of the Law or Statute before I was Priſoner in the Tower, God confound me.

Attourney. Now I come to prove the Circumſtances of the Accuſation to be true. *Cobham* confeſſed he had a Paſsport to travel, hereby intending to preſent Overtures to the Arch-Duke, and from thence to go to *Spain*, and there to have Conference with the King for Money: You ſay he promiſed to come home by *Jerſey*, to make merry with you and your Wife.

Raleigh. I ſaid, in his return from *France*, not *Spain.*

Attourney. Further, in his Examination he ſaith, nothing could be ſet down for the Diſtribution of the Money to the Diſcontented, without Conference with *Raleigh.* You ſaid it ſhould have been for procurement of Peace, but it was for raiſing Rebellion. Further, *Cobham* ſaith, he would never have entred into theſe Courſes, but by your Inſtigation, and that you would never let him alone. Your Scholar was not apt enough to tell us all the Plots, that is enough for you to do, that are his Maſter: You intended to truſt Sir *Arthur Savage*, whom I take to be an honeſt and true Gentleman, but not Sir *Arthur Gorge.*

Raleigh. All this is but one Accuſation of *Cobham's*, I hear no other thing; to which Accuſation he never ſubſcribed nor avouched it, I beſeech you,

my

my Lords, let *Cobham* be ſent for, charge him on his Soul, on his Allegiance to the King; if he affirm it, I am Guilty.

Lord Cecil. It is the Accuſation of my Lord *Cobham*, it is the Evidence againſt you, muſt it not be of force without his Subſcription? I deſire to be reſolved by the Judges, whether by the Law it is not a forcible Argument of Evidence.

The Judges. My Lord, it is.

Raleigh. The King at his Coronation is ſworn, *In omnibus Judiciis ſuis Æquitatem, non Rigorem Legis, obſervare*: By the Rigour and Cruelty of the Law it may be a forcible Evidence.

Lord Chief Juſtice. That is not the Rigour of the Law, but the Juſtice of the Law; elſe when a Man hath made a plain Accuſation, by Practice he might be brought to retract it again.

Raleigh. Oh my Lord, you may uſe Equity.

Lord Chief Juſtice. That is from the King, you are to have Juſtice from us.

Lord Anderſon. The Law is, if the Matter be proved to the Jury, they muſt find you Guilty; for *Cobham's* Accuſation is not only againſt you, there are other things ſufficient.

Lord Cecil. Now that Sir *Walter Raleigh* is ſatisfied, that *Cobham's* Subſcription is not neceſſary: I pray you Mr. *Attourney* go on.

Raleigh. Good Mr. *Attourney* be patient, and give me leave.

Lord Cecil. An unneceſſary Patience is a hindrance, let him go on with his Proofs, and then refel them.

Raleigh. I would anſwer particularly.

Lord Cecil. If you would have a Table, and Pen, and Ink, you ſhall.

Then

Then Paper and Ink was given him.

Here the Clerk of the Crown read the Letter, which the Lord *Cobham* did write in *July*, which was to the effect of his former Examination, further saying, *I have disclosed all; to accuse any one falsly, were to burthen my own Conscience.*

Attourney. Read *Coplies* Confession the 8*th* of *June*, he saith, *He was offered* 1000 *Crowns to be in this Action.*

Here *Watson's* Additions were read.

"The great Mass of Money from "the Count was impossible, saith *Brook*, &c.

Brook's Confession read.

"There have Letters passed, saith "he, between *Cobham* and *Aremberg*, for "a great Sum of Money, to assist a se- "cond Action, for the surprising of his Majesty. *At-*

Attourney. It is not possible it was of Passion; for it was in talk before three Men being severally examined, who agreed in the Sum to be bestowed on discontented Persons. That *Grey* should have 12000 Crowns, and *Raleigh* should have 8000, or 10000 Crowns.

Cobham's Examination, *July* 18.

"If the Money might be procured "(saith he) then a Man may give Pen-"sions. Being asked if a Pension should "not be given to his Brother *Brook*, he "denied it not.

Lawrency's Examination.

"Within five days after *Aremberg* ar-"rived, *Cobham* resorted unto him. "That Night that *Cobham* went to *A-"remberg* with *Lawrency*, *Raleigh* supped "with him.

Attourney. *Raleigh* must have his part of the Money, therefore now he is a Tray-

Traytor. The Crown ſhall never ſtand one Year on the Head of the King (my Maſter) if a Traytor may not be condemned by Circumſtances: For if A. tells B. and B. tells C. and C. D. &c. you ſhall never prove Treaſon by two Witneſſes.

Raleigh's Examination was read.

He confeſſeth *Cobham* offered him 8000 Crowns, which he was to have for the furtherance of the Peace between *England* and *Spain*; and that he ſhould have it within three days. To which, he ſaid, he gave this Anſwer, When I ſee the Money I will tell you more; for I had thought it had been one of his ordinary idle Conceipts, and therefore made no accompt thereof.

Raleigh. The *Attourney* hath made a long Narration of *Copley*, and the Prieſts, which concerns me nothing, neither know I how *Cobham* was alter'd.

For

For he told me, if I would agree to further the Peace, he would get me 8000 Crowns. I asked him, Who ſhall have the reſt of the Money? He ſaid, I will offer ſuch a Noble-Man (who was not named) ſome of the Money. I ſaid, he will not be perſwaded by you, and he will extreamly hate you for ſuch a Motion. Let me be pinched to Death with hot Irons, if ever I knew there was any Intention to beſtow the Money on diſcontented Perſons. I had made a Diſcourſe againſt the Peace, and would have printed it: If *Cobham* changed his mind; if the Prieſts, if *Brook* had any ſuch intent, what is that to me? They muſt anſwer for it. He offered me the Money before *Aremberg* came, that is difference of time.

Serjeant Philips. *Raleigh* confeſſeth the Matter, but avoideth it by diſtinguiſhing of Times. You ſaid it was offer'd

offered you before the coming of *Aremberg*; which is falſe. For you being examined whether you ſhould have ſuch Money of *Cobham*, or not: You ſaid yea, and that you ſhould have it within two or three days. *Nemo moriturus preſumitur mentiri.*

Lord Hen. How. Alledg me any Ground or Cauſe, wherefore you gave ear to my Lord *Cobham* for receiving Penſions, in Matters you had not to deal with.

Raleigh. Could I ſtop my Lord *Cobham's* Mouth?

Lord Cecil. Sir *Walter Raleigh* preſſeth, that my Lord *Cobham* ſhould be brought face to face. If he ask things of Favour and Grace, they muſt come only from him that can give them. If we ſit here as Commiſſioners, how ſhall we be ſatisfied whether he ought to be brought, unleſs we hear the Judges ſpeak.

Lord

Lord Chief Juſtice. This thing cannot be granted, for then a number of Treaſons ſhould flouriſh: The Accuſer may be drawn by Practice, whilſt he is in Perſon.

Judg Gawdy. The Statute you ſpeak of, concerning two Witneſſes in caſe of Treaſon is found to be inconvenient, therefore by another Law it was taken away.

Raleigh. The common Trial of *England* is by Jury and Witneſſes.

Lord Chief Juſtice. No, by Examination: If three conſpire a Treaſon, and they all confeſs it; here is never a Witneſs, yet they are condemned.

Judg Warburton. I marvel, Sir *Walter*, that you being of ſuch Experience and Wit, ſhould ſtand on this Point; for ſo many Horſe-ſtealers may eſcape, if they may not be condemned without Witneſſes. If one ſhould ruſh into the

King's

King's Privy-Chamber, whilſt he is alone, and kill the King (which God forbid) and this Man be met coming with his Sword drawn all bloody; ſhall not he be condemned to Death? My Lord *Cobham* hath, perhaps, been laboured withal; and to ſave you, his old Friend, it may be that he will deny all that which he hath ſaid.

Raleigh. I know not how you conceive the Law.

Lord Chief Juſtice. Nay, we do not conceive the Law, but we know the Law.

Raleigh. The Wiſdom of the Law of God is abſolute and perfect, *Hæc fac, & vives, &c.* But now by the Wiſdom of the State, the Wiſdom of the Law is uncertain. Indeed where the Accuſer is not to be had conveniently, I agree with you; but here my Accuſer may, he is alive, and in the Houſe.

Suſan-

Susanna had been condemned, if *Daniel* had not cried out: *Will you condemn an innocent Israelite, without Examination or Knowledge of the Truth?* Remember, it is absolutely the Commandment of God: If a false Witness rise up, you shall cause him to be brought before the Judges; if he be found false, he shall have the Punishment which the Accused should have had. It is very sure for my Lord to accuse me is my certain Danger, and it may be a means to excuse himself.

Lord Chief Justice. There must not such a Gap be opened for the Destruction of the King, as would be if we should grant this. You plead hard for your self, but the Laws plead as hard for the thing. I did never hear that Course to be taken in a Case of Treason, as to write one to another, or speak one to another during the time of their Imprisonment. There hath

hath been Intelligence between you, and what underhand Practices there may be, I know not. If the Circumstances agree not with the Evidence, we will not condemn you.

Raleigh. The King desires nothing but the knowledge of the Truth, and would have no advantage taken by Severity of the Law. If ever we had a Gracious King, now we have; I hope, as he is, such are his Ministers. If there be but a Trial of five Marks at common Law, a Witness must be deposed. Good my Lords, let my Accuser come face to face, and be deposed.

Lord Chief Justice. You have no Law for it: God forbid any Man should accuse himself upon his Oath.

Attourney. The Law presumes, a Man will not accuse himself to accuse another. You are an odious Man: For *Cobham* thinks his Cause the worse

that you are in it. Now you ſhall hear of ſome Stirs to be raiſed in *Scotland.*

Part of Coplies *Examination.*

" Alſo *Watſon told* me, that a ſpecial " Perſon told him, that *Aremberg* offer'd " to him a thouſand Crowns to be in " that Action; and that *Brook* ſaid, the " Stirs in *Scotland* came out of *Rawleigh's* " Head.

Raleigh. *Brook* hath been taught his Leſſon.

Lord H. How. This Examination was taken before me; Did I teach him his Leſſon?

Raleigh. I proteſt before God, I meant it not by any Privy Counſellor; but becauſe Money is ſcant, he will juggle on both ſides.

Raleigh's

Raleigh's *Examination.*

"The way to invade *England*, were to begin with Stirs in *Scotland*.

Raleigh. I think ſo ſtill: I have ſpoken it to divers of the Lords of the Council, by way of Diſcourſe and Opinion.

Attourney. Now let us come to thoſe words of *Deſtroying the King and his Cubs.*

Raleigh. O barbarous! if they, like unnatural Villains, ſhould uſe thoſe words, ſhall I be charged with them? I will not hear it, I was never any Plotter with them againſt my Country, I was never falſe to the Crown of *England.* I have ſpent 4000 Pounds of my own againſt the *Spaniſh* Faction, for the Good of my Country. Do you bring the words of theſe *Helliſh* Spiders, *Clark*, *Watſon*, and others againſt me?

Attourney. Thou haſt a *Spaniſh* Heart, and thy ſelf art a Spider of Hell; for thou confeſſeſt the King to be a moſt Sweet and Gracious Prince, and yet haſt conſpired againſt him.

Watſon's *Examination read.*

'He ſaid, that *George Brook* told 'him twice, That his Brother, the 'Lord *Cobham*, ſaid to him, that you 'are but on the Bye, but *Raleigh* and I 'are on the Main.

Brook's *Examination read.*

'Being askt what was meant by this '*Jargon* the Bye and the Main? he ſaid, 'That the Lord *Cobham* told him, that '*Grey* and others were in the Bye, he 'and *Raleigh* were on the Main. Be-'ing askt what Expoſition his Brother 'made of theſe Words? he ſaid, he is

'loth

'loth to repeat it. And after ſaith, 'by the Main was meant the taking a-'way of the King and his Iſſue; and 'thinks on his Conſcience, it was 'infuſed into his Brother's Head by *Raleigh*.

Cobham's *Examination read.*

'Being askt, if ever he had ſaid, *It 'will never be well in* England, *till the 'King and his Cubs were taken away.* He 'ſaid, he had anſwered before, and 'that he would anſwer no more to that 'Point.

Raleigh. I am not named in all this: There is a Law of two ſorts of Accuſers, one of his own Knowledg, another by Hear-ſay.

Earl of Suffolk. See the Caſe of *Arnold.*

Lord Chief Juſtice. It is the Caſe of Sir *Will. Thomas*, and Sir *Nicholas Arnold*.

Raleigh. If this may be, you will have any Mans Life in a Week.

Attourney. *Raleigh* ſaith, that *Cobham* was in a Paſſion when he ſaid ſo. Would he tell his Brother any thing of Malice againſt *Raleigh*, whom he lov'd as his Life.

Raleigh. *Brook* never loved me; until his Brother had accuſed me, he ſaid nothing.

Lord Cecil. We have heard nothing that might lead us to think that *Brook* accuſed you, he was only in the Surpriſing Treaſon; for by accuſing you he ſhould accuſe his Brother.

Raleigh. He doth not care much for that.

Lord Cecil. I muſt judg the beſt. The Accuſation of his Brother was not Voluntary; he pared every thing as much as he could, to ſave his Brother.

Cob-

Cobham's *Examination read.*

'He ſaith he had a Book written a-'gainſt the Title of the King, which 'he had of *Raleigh*, and that he gave it 'to his Brother *Brook*: and *Raleigh* ſaid 'it was fooliſhly written.

Attorney. After the King came within twelve miles of *London*, *Cobham* never came to ſee him; and intended to travel without ſeeing the Queen and the Prince. Now in this Diſcontentment you gave him the Book, and he gave it his Brother.

Raleigh. I never gave it him, he took it off my Table. For I well remember a little before that time I received a Challenge from Sir *Amias Preſton*, and for that I did intend to anſwer it, I reſolved to leave my Eſtate ſetled, therefore laid out all my looſe Papers, amongſt which was this Book.

Lord Howard. Where had you this Book?

Raleigh. In the old Lord Treaſurers Study, after his Death.

Lord Cecil. Did you ever ſhew or make known the Book to me.

Raleigh. No, my Lord.

Lord Cecil. My Father being employed in the Affairs of State at that time, it was like enough, he had many Books and Papers written againſt the then Queen and State, which might come to his hands by the Diſcovery of ſuch Offences.

Attourney. I obſerve there was Intelligence between you and *Cobham* in the Tower; for after he ſaid, it vvas againſt the King's Title, he denied it again.

Sir William Wade. Firſt my Lord *Cobham* confeſſeth it, and after he had ſubſcribed it, he revoked it again: To me he always ſaid, that the Drift of

of it was againſt the King's Title.

Raleigh. I proteſt before God, and all his Works, I gave him not the Book.

Nota. *Sir* Robert Wroth *ſpeaketh, or whiſpereth ſomething ſecretly.*

Attourney. My Lords, I muſt complain of Sir *Robert Wroth*, he ſayes this Evidence is not material.

Sir *Robert Wroth.* I never ſpake the vvords.

Attourney. Let Mr. *Serjeant Philips* teſtifie, vvhether he heard him ſay the Words or no.

Lord Cecil. I will give my Word for Sir *Robert Wroth.*

Sir Robert Wroth. I vvill ſpeak as truly as you, Mr. *Attourney*, for by God, I never ſpake it.

Lord Chief Juſtice. Wherefore ſhould this Book be burnt?

Raleigh. I burned it not.

Serjeant Philips. You preſented your Friend

Friend with it, when he was discontented. If it had been before the Queens Death it had been a less matter; but you gave it him presently when he came from the King, which was the time of his Discontentment.

Raleigh. Here is a Book supposed to be Treasonable; I never read it, commended it, or delivered it, nor urged it.

Attourney. Why this is cunning.

Raleigh. Every thing that doth make for me is cunning, and every thing that maketh against me is probable.

Attourney. Lord *Cobham* saith, that *Kemish* came to him with a Letter torn, and did wish him not to be dismaid, for one Witness could not hurt him.

Raleigh. This poor Man hath been close Prisoner these eighteen Weeks; he was offered the Rack to make him confess. I never sent any such Message by

by him, I only writ to him, to tell him what I had done with Mr. *Attourney*; having of his at that time a great Pearl and a Diamond.

Lord H. Howard. No Circumſtance moveth me more than this. *Kemiſh* was never on the Rack, the King gave charge that no Rigour ſhould be uſed.

Commiſſioners. We proteſt before God, there was no ſuch matter intended to our knowledges.

Raleigh. Was not the Keeper of the Rack ſent for, and he threatned with it?

Sir William Wade. When Mr. Sollicitor and my ſelf examined *Kemiſh*, we told him he deſerved the Rack, but did not threaten him with it.

Commiſſioners. It was more than we knew.

Cob-

Cobham's *Examination read.*

'He ſaith, *Kemiſh* brought him a 'Letter from *Raleigh*, and that part 'which was concerning the Lords of 'the Council, was rent out; the Let-'ter contained, that he was examined 'and cleared himſelf of all; and that 'the Lord *H. Howard* ſaid, becauſe he 'was diſcontent, he was fit to be in the 'Action. And further, that *Kemiſh* 'ſaid to him from *Raleigh*, that he 'ſhould be of good Comfort, for one 'Witneſs could not condemn a Man 'for Treaſon.

Lord Cecil. Cobham was ask'd, whether, and when he heard from you? he ſaid, *Every Day.*

Raleigh. Kemiſh added more, I never bad him ſpeak thoſe Words.

Nota. Mr. *Attourney here offered to interrupt him.*

Lord

Lord Cecil. It is his laſt Diſcourſe. Give him leave Mr. *Attourney.*

Raleigh. I am accuſed concerning *Arabella*, concerning Money out of *Spain.* My Lord Chief Juſtice ſaith, a Man may be condemned with one Witneſs, yea, without any Witneſs. *Cobham* is guilty of many things, *Conſcientia mille Teſtes*; he hath accuſed himſelf, what can he hope for but Mercy? My Lords vouchſafe me this Grace. Let him be brought, being alive, and in the Houſe; let him avouch any of theſe things, I will confeſs the whole Indictment, and renounce the King's Mercy.

Lord Cecil. Here hath been a touch of the Lady *Arabella Stuart*, a near Kinſwoman of the Kings. Let us not ſcandal the innocent by confuſion of Speech: She is as innocent of all theſe things as I, or any Man here; only ſhe received a Letter from my Lord *Cobham*,

ham, to prepare her; which she laught at, and immediately sent it to the King. So far was she from Discontentment that she laught him to scorn. But you see how far the Count of *Aremberg* did consent.

The Lord Admiral (Nottingham) *being by in a Standing, with the* Lady Arabella, *spake to the Court.*

The Lady doth here protest upon her Salvation, that she never dealt in any of these things; and so she willed me to tell the Court.

Lord Cecil. The Lord *Cobham* wrote to my Lady *Arabella*, to know if he might come to speak with her, and gave her to understand, that there were some about the King, that laboured to disgrace her; she doubted it was but a Trick. But *Brook* saith, his Brother moved him to procure *Arabella* to write Letters to the King of *Spain*; but he saith, he never did it.

Ra-

Raleigh. The Lord *Cobham* hath accuſed me, you ſee in what maner he hath forſworn it. Were it not for his Acculation, all this were nothing. Let him be asked, if I knew of the Letter which *Lawrency* brought to him from *Aremberg*. Let me ſpeak for my Life, it can be no hurt for him to be brought; he dares not accuſe me. If you grant me not this Favour, I am ſtrangely uſed. *Campian* was not denied to have his Accuſers face to face.

Lord Chief Juſtice. Since he muſt needs have Juſtice, the Acquitting of his old Friend may move him to ſpeak otherwiſe than the Truth.

Raleigh. If I had been the Infuſer of all theſe Treaſons into him. You Gentlemen of the Jury, mark this, he ſaid I have been the Cauſe of all his Miſeries, and the Deſtruction of his Houſe, and that all Evil hath happened unto him

him, by my wicked counſel. If this be true, whom hath he cauſe to accuſe, and to be revenged on, but on me? And I know him to be as revengefull as any Man on Earth.

Attourney. He is a Party, and may not come; the Law is againſt it.

Raleigh. It is a Toy to tell me of Law. I defy ſuch Law, I ſtand on the Fact.

Lord Cecil. I am afraid my often ſpeaking (who am inferiour to my Lords here preſent) will make the World think I delight to hear my ſelf talk. My Affection to you, Sir *Walter Raleigh*, was not extinguiſhed, but ſlaked, in regard of your deſerts. You know the Law of the Realm (to which your Mind doth not conteſt) that my Lord *Cobham* cannot be brought.

Raleigh. He may be, my Lord.

K. Cecil. But dare you challenge it?

Raleigh. No.

Lord

L. Cecil. You ſay that my Lord *Cobham*, your main Accuſer, muſt come to accuſe you. You ſay, he hath retracted: I ſay, many particulars are not retracted. What the Validity of all this is, is meerly left to the Jury. Let me ask you this, If my Lord *Cobham* will ſay you were the only Inſtigator of him to proceed in the Treaſons, dare you put your ſelf on this?

Raleigh. If he will ſpeak it before God and the King, that ever I knew of *Arabella*'s Matter, or the Money out of *Spain*, or of the ſurpriſing Treaſon; I put my ſelf on it. God's Will and the King's be done with me.

Lord H. Howard. How if he ſpeak things equivalent to that you have ſaid.

Raleigh. Yes, in a main Point.

Lord Cecil. If he ſay, you have been the Inſtigator of him to deal with the *Spaniſh* King, had not the Coun-

cil cauſe to draw you hither?

Raleigh. I put my ſelf on it.

Lord Cecil. Then Sir *VValter Raleigh*, call upon God, and prepare your ſelf; for I do verily believe my Lords will prove this. Excepting your faults (I call them no worſe) by God, I am your Friend. The Heat and Paſſion in you, and the Attourney's Zeal in the King's Service makes me ſpeak this.

Raleigh. Whoſoever is the Workman, it is reaſon he ſhould give account of his Work to the Work-maſter. But let it be proved that he acquainted me with any of his Conferences with *Aremberg*: he would ſurely have given me ſome account.

L. *Cecil.* That follows not. If I ſet you on work, and you give me no account, am I therefore innocent?

Attourney. For the Lady *Arabella*, I ſaid ſhe was never acquainted with the matter. Now that *Raleigh* had Confe-

rence

rence in all these Treasons, it is manifest; The Jury hath heard the matter. There is one *Dyer*, a Pilot, that being in *Lisbon*, met with a *Portugal* Gentleman, who ask'd him if the King of *England* was crown'd yet? To whom he answered, *I think not yet, but he shall be shortly.* Nay, saith the *Portugal*, that shall never be, for his Throat will be cut by *Don Raleigh* and *Don Cobham* before he be crowned.

Dyer was called and sworn, and delivered this Evidence.

Dyer. *I came to a Merchants House in* Lisbon, *to see a Boy that I had there; there came a Gentleman into the House, and enquiring what Countryman I was? I said, an* Englishman. *Whereupon he asked me, if the King was crowned? And I answered, No, but that I hoped he should be so shortly.* Nay, *saith he*, he shall never be crowned; for *Don Raleigh* and *Don Cobham* will cut his Throat ere that day come.

Raleigh. What infer you upon this?

Attourney. That your Treaſon hath wings.

Raleigh. If *Cobham* did practice with *Aremberg*, how could it not but be known in *Spain*? Why did they name the Duke of *Buckingham* with *Jack Straw*'s Treaſon, and the Duke of *York* with *Jack Cade*, but that it was to countenance his Treaſon?

Conſider you Gentlemen of the Jury, there is no Cauſe ſo doubtful, which the Kings Counſel cannot make good againſt the Law. Conſider my Diſability, and their Ability: They prove nothing againſt me, only they bring the Accuſation of my Lord *Cobham*, which he hath lamented and repented as heartily, as if it had been for an horrible Murther: for he knew that all this Sorrow which ſhould come to me, is by his means. Preſumptions muſt proceed from precedent or ſubſequent

Facts.

Facts. I have ſpent 40000 Crowns againſt the *Spaniard*. I had not purchaſed 40 Pound a Year. If I had died in *Guiana*, I had not left 300 Marks a Year to my Wife and Son. I that have always condemned the *Spaniſh* Faction, methinks it is a ſtrange thing that now I ſhould affect it! Remember what St. *Auſtin* ſays, *Sic judicate tanquam ab alio mox judicandi; unus Judex, unum Tribunal.* If you would be contented on Preſumptions to be delivered up to be ſlaughtered, to have your Wives and Children turned into the Streets to beg their Bread; If you would be contented to be ſo judged, judg ſo of me

Serj. Philips. I hope to make this ſo clear, as that the Wit of Man ſhall have no Colour to anſwer it. The Matter is Treaſon in the higheſt Degree, the end to deprive the King of his Crown. The particular Treaſons are theſe: Firſt, To raiſe up Rebellion,

and, to effect that, to procure Money; to raiſe up Tumults in *Scotland*, by divulging a Treaſonable Book againſt the Kings Right to the Crown; the Purpoſe, to take away the Life of his Majeſty and his Iſſue. My Lord *Cobham* confeſſeth Sir *Walter Raleigh* to be guilty of all theſe Treaſons. The Queſtion is, Whether he be guilty as joyning with him, or inſtigating of him? The Courſe to prove this was by my Lord *Cobham*'s Accuſation. If that be true, he is guilty; if not, he is clear. So whether *Cobham* ſay true, or *Raleigh*? That is the Queſtion. *Raleigh* hath no Anſwer, but the Shadow of as much Wit, as the Wit of Man can deviſe. He uſeth his bare Denial; the Denial of a Defendant muſt not move the Jury. In the Star-Chamber, or in the Chancery, for matter of Title, if the Defendant be called in Queſtion, his Denial on his Oath is no Evidence

vidence to the Court to clear him, he doth it in *propria cauſa*; therefore much leſs in Matters of Treaſon. *Cobham's* Teſtification againſt him before then, and ſince, hath been largely diſcourſed.

Raleigh. If Truth be conſtant, and Conſtancy be in Truth, why hath he forſworn that that he hath ſaid? You have not proved any one thing againſt me by direct Proofs, but all by Circumſtances.

Attourney. Have you done? The King muſt have the laſt.

Raleigh. Nay, Mr. *Attourney*, he which ſpeaketh for his Life, muſt ſpeak laſt. Falſe Repetitions and Miſtakings muſt not mar my Cauſe. You ſhould ſpeak *ſecundum allegata & probata.* I appeal to God and the King in this Point, whether *Cobham's* Accuſation be ſufficient to condemn me?

Attourney. The Kings Safety and

your Clearing cannot agree. I proteſt before God, I never knew a clearer Treaſon.

Raleigh. I never had Intelligence with *Cobham* ſince I came to the Tower.

Attourney. Go too, I will lay thee upon thy Back, for the confidenteſt Traytor that ever came at a Bar. Why ſhould you take 8000 Crowns for a Peace?

Lord Cecil. Be not ſo impatient, good Mr. *Attourney*, give him leave to ſpeak.

Attourney. If I may not be patiently heard, you will incourage Traytors, and diſcourage us. I am the King's ſworn Servant, and muſt ſpeak: If he be guilty, he is a Traytor; if not deliver him.

Nota. *Here Mr.* Attourney *ſat down in a Chafe, and would ſpeak no more, until*

til the Commissioners urged and intreated him. After much ado he went on, and made a long Repetition of all the Evidence, for the direction of the Jury; and at the repeating of some things Sir Walter Raleigh *interrupted him, and said,* He did him wrong.

Attourney. Thou art the most vile and execrable Traytor that ever lived.

Raleigh. You speak indiscreetly, barbarously and uncivilly.

Attourney. I want words sufficient to express thy viperous Treasons.

Raleigh. I think you want words indeed, for you have spoken one thing half a dozen times.

Attourney. Thou art an odious Fellow, thy Name is hateful to all the Realm of *England* for thy Pride.

Raleigh. It will go near to prove a measuring Cast between you and me, Mr. *Attourney.*

Attour-

Attourney. Well, I will now make it appear to the World, that there never lived a viler Viper upon the face of the Earth than thou, and therewithal he drew a Letter out of his Pocket, saying further, My Lords, you shall see, this is an Agent that hath writ a Treatise against the *Spaniard*, and hath ever so detested him; this is he that hath spent so much Money against him in Service; and yet you shall all see whether his Heart be not wholly *Spanish*. The Lord *Cobham*, who of his own nature was a good and honourable Gentleman, till overtaken by this Wretch, now finding his Conscience heavily burthened with some Courses which the Subtilty of this Traytor had drawn him into, my Lords, he could be at no rest with himself, nor quiet in his thoughts, until he was eased of that heavy weight; out of which Passion of his Mind, and Discharge of his Duty

to

to his Prince, and his Conſcience to God; taking it upon his Salvation that he wrote nothing but the Truth, with his own hands he wrote this Letter. Now Sir you ſhall ſee whether you had Intelligence with *Cobham*, within four days before he came to the Tower. If he be wholly *Spaniſh*, that deſired a Penſion of 1500 Pound a Year from *Spain*, that *Spain* by him might have Intelligence, then *Raleigh* is a Traytor. He hath taken an Apple, and pinned a Letter unto it, and threw it into my Lord *Cobham's* Window; the Contents whereof were this, *It is doubtful, whether we ſhall be proceeded with or no, perhaps you ſhall not be tried.* This was to get a Retractation. Oh! it was *Adam's* Apple, whereby the Devil did deceive him. Further, he wrote thus, *Do not as my Lord of* Eſſex *did; take heed of a Preacher; for by his Perſwaſion he confeſſed, and made himſelf guilty.* I doubt not

not but this day God ſhall have as great a Conqueſt by this Traytor, and the Son of God ſhall be as much glorified, as when it was ſaid, *Viciſti Galilæe*; you know my meaning. What though *Cobham* retracted, yet he could not reſt nor ſleep till he confirmed it again. If this be not enough to prove him a Traytor, the King my Maſter ſhall not live three years to an end.

Nota. *Here Mr.* Attourney *produced the Lord* Cobham s *Letter, and as he read it, inſerted ſome ſpeeches.*

'I have thought fit to ſet down this 'to my Lords, wherein I proteſt on my 'Soul to write nothing but the truth. I 'am now come near the period of my 'time, therefore I confeſs the whole 'Truth before God, and his Angels. '*Raleigh*, four days before I came from 'the *Tower* cauſed an Apple (*Eves Apple*) 'to be thrown in at my Chamber-Win-'dow; the effect of it was to intreat me

'me to right the wrong that I had done 'him, in ſaying, *that I ſhould have come* 'home by Jerſey; which under my hand 'to him I have retracted. His firſt Let- 'ter I anſwered not, which was thrown 'in the ſame manner, wherein he pray- 'ed me to write him a Letter, which I 'did. He ſent me word that the Judges 'met at Mr. *Attourneys* Houſe, and that 'there was good hope the Proceedings 'againſt us ſhould be ſtayed; He ſent 'me another time a little *Tobacco*. At '*Aremberg*'s coming *Raleigh* was to have 'procured a Penſion of fifteen hundred 'Pounds a Year; for which he promi- 'ſed that no Action ſhould be againſt '*Spain*, the *Low-Countries*, or the *Indies*, 'but he would give knowledg before- 'hand. He told me the States had Au- 'dience with the King. (*Attourney. Ah!* '*is not this a* Spaniſh *Heart in an* Engliſh '*Body?*) He hath been the Original 'Cauſe of my Ruine; for I had no deal-

'dealing with *Aremberg*, but by his inſti-
'gation. He hath alſo been the cauſe
'of my Diſcontentment; he adviſed
'me, not to be overtaken with Preach-
'ers, as *Eſſex* was; and that the King
'would better allow of a conſtant
'Denial, than to accuſe any.

Attourney. Oh damnable Atheiſt! he hath learned ſome Text of Scripture to ſerve his own purpoſe, but falſly alledged. He counſels him not to be counſelled by Preachers, as *Eſſex* was: He died the Child of God, God honoured him at his death; thou waſt by when he died. *Et Lupus & Turpes inſtant morientibus Urſæ.* He died indeed for his Offence. The King himſelf ſpake theſe words; *He that ſhall ſay* Eſſex *died not for Treaſon is puniſhable.*

Raleigh. You have heard a ſtrange Tale of a ſtrange Man. Now he thinks, he hath matter enough to deſtroy me; but the King, and all of you ſhall witneſs,

neſs by our Deaths, which of us was the Ruine of the other. I bid a poor Fellow throw in the Letter at his Window, written to this purpoſe, *You know you have undone me, now write three Lines to juſtifie me.* In this I will die, that he hath done me wrong: Why did not he acquaint me with his Treaſons, if I acquainted him with my Diſpoſitions?

Lord Chief Juſtice. But what ſay you now of the reſt of the Letter, and the Penſion of 1500 l. *per annum*?

Raleigh. I ſay that *Cobham* is a baſe, diſhonourable poor Soul.

Attourney. Is he baſe? I return it into thy Throat, on his behalf: But for thee, he had been a good Subject.

Lord Chief Juſtice. I perceive you are not ſo clear a Man, as you have proteſted all this while; for you ſhould have diſcovered theſe Matters to the King.

Nota.

Nota. *Here* Raleigh *pulled a Letter out of his Pocket, which the Lord* Cobham *had written to him, and desired my* Lord Cecil *to read it, because he only knew his hand; the Effect of it was as followeth.*

Cobham's *Letter of Justification to* Raleigh.

'Seeing my self so near my End, 'for the discharge of my own Consci-'ence; and freeing my self from your 'Blood, which else will cry Vengeance 'against me: I protest upon my Sal-'vation, I never practised with *Spain* 'by your procurement; God so com-'fort me in this my Affliction, as you 'are a true Subject, for any thing 'that I know. I will say as *Daniel*, '*Purus sum a sanguine hujus.* So God 'have mery on my Soul, as I know no 'Treason by you.

Raleigh. Now I wonder how many Souls

Souls this Man hath! he damns one in this Letter, and another in that.

Here was much ado, Mr. Attourney *alledged that his laſt Letter was politickly and cunningly urged from the Lord* Cobham, *and that the firſt was ſimply the Truth; and that leſt it ſhould ſeem doubtful that the firſt Letter was drawn from my Lord* Cobham *by promiſe of mercy, or hope of favour, the* Lord Chief Juſtice *willed that the* Jury *might herein be ſatisfied.*

Whereupon the Earl of Devonſhire *delivered that the ſame was meer voluntary, and not extracted from the Lord* Cobham *upon any hopes or promiſe of Pardon.*

Nota. *This was the laſt Evidence: whereupon a Marſhal was ſworn to keep the* Jury *private. The* Jury *departed, and*

ſtaid not a quarter of an hour, but returned, and gave their Verdict, Guilty.

Serj. Heale demanded Judgment againſt the Priſoner.

Clerk of the Crown. Sir *Walter Raleigh*, Thou haſt been indicted, arraigned, and pleaded not guilty, for all theſe ſeveral Treaſons, and for tryal thereof haſt put thy ſelf upon thy Country; which Country are theſe, who have found thee guilty. What canſt thou ſay for thy ſelf, why Judgment and Execution of Death ſhould not paſs againſt thee?

Raleigh. My Lords, the Jury have found me Guilty. They muſt do as they are directed. I can ſay nothing why Judgment ſhould not proceed. You ſee whereof *Cobham* hath accuſed me. You remember his Proteſtations, that I was never guilty. I deſire the King ſhould know of the Wrongs done unto

unto me since I came hither.

Lord Chief Justice. You have had no wrong, Sir *Walter*.

Raleigh. Yes, of Mr. *Attourney*. I desire my Lords to remember three things to the King. 1. I was accused to be a Practiser with *Spain*. I never knew that my Lord *Cobham* meant to go thither; I will ask no mercy at the Kings hands if he will affirm it. 2. I never knew of the practice with *Arabella*. 3. I never knew of my Lord *Cobhams* practice with *Aremberg*, nor of the surprising Treason.

Lord Ch. Justice. In my Conscience I am perswaded that *Cobham* hath accused you truly. You cannot deny but that you were dealt with to have a Pension to be a Spy for *Spain*; therefore you are not so true to the King as you have protested your self to be.

Raleigh. I submit my self to the King's Mercy; I know his Mercy is

greater than my Offence. I recommend my Wife, and Son of tender years, unbrought up, to his Compaſſion.

Lord Chief Juſtice. I had thought I ſhould never have ſeen this Day, to have ſtood in this place to give Sentence of Death againſt you; becauſe I thought it impoſſible, that one of ſo great Parts ſhould have fallen ſo grievouſly. God hath beſtowed on you many Benefits. You had been a Man fit and able to have ſerved the King in good Place. You had brought your ſelf into a good State of Living, if you had entred into a good Conſideration of your Eſtate, and not ſuffered your own Wit to have intrapped your ſelf, you might have lived in good comfort. It is beſt for Man not to ſeek to climb too high, leſt he fall; nor yet to creep too low, leſt he be trodden on. It was the Poſie of the wiſeſt and greateſt Counſellor of our time in *England*

land, In medio ſpatio mediocria firma locantur. You might have lived well with 3000 Pound a Year, for ſo I have heard your Revenues to be. I know nothing might move you to be diſcontented; but if you had been down, you know Fortunes Wheel, when it is turned about, riſeth again. I never heard that the King took away any thing from you, but the Captainſhip of the Guard, which he did with very good Reaſon, to have one of his own knowledg, whom he might truſt, in that Place. You have been taken for a wiſe Man, and ſo have ſhewed Wit enough this Day. Again, for Monopolies for Wine, &c. If the King had ſaid, it is a Matter that offends my People, ſhould I burthen them for your private Good? I think you could not well take it hardly, that his Subjects were eaſed, though by your private hindrance. Two Vices have lodged chiefly in you; one is

an eager Ambition, the other corrupt Covetouſneſs. Ambition, in deſiring to be advanced to equal Grace and Favour, as you have been before-time; that Grace you had then you got not in a Day or Year. For your Covetouſneſs, I am ſorry to hear that a Gentleman of your Wealth ſhould become a baſe Spie for the Enemy, which is the vileſt of all other; wherein on my Conſcience *Cobham* hath ſaid true: by it you would have increaſed your Living 1500 Pound a Year. This Covetouſneſs is like a Canker, that eats the Iron Place where it lives. Your Caſe being thus, let it not grieve you, if I ſpeak a little out of zeal, and love to your good. You have been taxed by the World, with the Defence of the moſt Heatheniſh and Blaſphemous Opinions, which I liſt not to repeat, becauſe Chriſtian Ears cannot endure to hear them, nor the Authors and Maintainers

tainers of them ſuffered to live in any Chriſtian Common-wealth. You know what Men ſaid of *Harpool*. You ſhall do well before you go out of the World to give ſatisfaction therein, and not to die with theſe Imputations on you. Let not any Devil perſwade you to think there is no Eternity in Heaven: for if you think thus, you ſhall find Eternity in Hell-Fire. In the firſt Accuſation of my Lord *Cobham*, I obſerved his manner of ſpeaking; I proteſt before the Living God, I am perſwaded he ſpoke nothing but the Truth. You wrote, that he ſhould not in any caſe confeſs any thing to a Preacher, telling him an Example of my Lord of *Eſſex*, that noble Earl that is gone; who if he had not been carried away with others, had lived in Honour to this Day among us. He confeſſed his Offences, and obtained Mercy of the Lord, for I am verily perſwaded in my

Heart, he died a worthy Servant of God. Your Conceit of not confeſſing any thing is very inhumane and wicked. In this World is the time of Confeſſing, that we may be abſolved at the Day of Judgment. You have ſhewed a fearful Sign of denying God, in adviſing a Man not to confeſs the Truth. It now comes in my mind, why you may not have your Accuſer come face to face: for ſuch an one is eaſily brought to retract, when he ſeeth there is no hope of his own Life. It is dangerous that any Traytors ſhould have any Acceſs to, or Conference with one another; when they ſee themſelves muſt die, they will think it beſt to have their Fellow live, that he may commit the like Treaſon again, and ſo in ſome ſort ſeek Revenge.

Now it reſteth to pronounce the Judgment, which I wiſh you had not been this day to have received of me:

For

For if the Fear of God in you had been anſwerable to your other great Parts, you might have lived to have been a ſingular good Subject. I never ſaw the like Trial, and hope I ſhall never ſee the like again.

The Judgment.

But ſince you have been found guilty of theſe horrible Treaſons, the Judgment of this Court is, That you ſhall be had from hence to the Place whence you came, there to remain until the Day of Execution; and from thence you ſhall be drawn upon a Hurdle through the open Streets to the Place of Execution, there to be hanged and cut down alive, and your Body ſhall be opened, your Heart and Bowels pluckt out, and your Privy Members cut off, and thrown into the Fire before your Eyes; then your Head

Head to be ſtruckeu off from your Body, and your Body ſhall be divided into four Quarters, to be diſpoſed of at the King's Pleaſure: And

God have Mercy upon your Soul.

Sir *Walter Raleigh* beſought the Earl of *Devonſhire*, and the Lords, to be Suiters on his behalf to the King; that in regard of Places of Eſtimation he did bear in his Majeſties time, the Rigour of his Judgment might be qualified, and his Death honourable, and not ignominious.

Wherein after they had promiſed him to do their utmoſt Endeavours, the Court roſe, and the Priſoner was carried up again to the Caſtle.

Here

Here follows the Continuation of the Life.

IT was obſerved, that before the Lords (principally to my Lord *Cecil*) at *Wincheſter* (for there he was tried, the Sickneſs then reigning in *London*) he was humble, but not proſtrate; dutiful, but not deject: For in ſome caſes he would humbly thank them for gracious Speeches; in other acknowledge that their Honours ſaid true, as in relating ſome Circumſtances. And in ſuch points wherein he would not yield unto them, he would crave pardon, and with reverence urge them, and anſwer them as in points of Law, or eſſential matters of Fact. To the Jury he was affable, but not fawning; hoping, but not truſting in them; care-

carefully perſwading them with Reaſon, not diſtemperately importuning them with Conjuration; rather ſhewing love of Life, than fear of Death. What made ill for Sir *Walter* was his Diſcovery of *Lawrency* and *Cobham*'s frequent private Conferences; which ſo incenſed *Cobham*, that he poſitively accuſed him: though the ſingle Evidence of one already convicted of what Sir *Walter* was but yet impeached, could only make a Circumſtance, and not convict him. The Judges and the King's Counſel did vvhat they could to bawl him out of his Life; and ſince they vvanted Proof, they would endeavour to tire him out. If we may believe *Osborn*, ſeveral of the Jurymen, after he was caſt, vvere ſo far touch'd in Conſcience as to ask of him pardon on their knees.

A further Confirmation of his Innocency may be a Paſſage of his ovvn in

a

a Letter to Secretary *Winwood*, wherein he tells him, 'That the worthy Prince 'of *Wales* was extream curious in 'ſearching out the nature of his Offen- 'ces. The Queens Majeſty had in- 'form'd her ſelf from the beginning. 'The King of *Denmark* at both times 'of his being here, was throughly ſatis- 'fied of his Innocency; they would o- 'therwiſe never have moved his Ma- 'jeſty on his behalf. The Wife, the 'Brother, and the Son of a King 'do not uſe to ſue for Men ſuſpect. Nay, further yet, the *Scots* themſelves declar'd in favour of him, if we may believe him in another Letter of his to Sir *Robert Car*, after Earl of *Somerſet*, wherein are theſe words: 'I have e- 'ver been bound to your Nation, as 'well for many other Graces, as for 'the true Report of my Trial to the 'King's Majeſty, againſt whom had I 'been malignant, the hearing of my 'Cauſe

'Cauſe could not have changed Ene-
'mies into Friends, Malice into Com-
'paſſion, and the Minds of the greateſt
'number then preſent into Commiſe-
'ration of mine Eſtate: It is not the
'nature of foul Treaſon to beget ſuch
'fair Paſſions; neither could it agree
'with the duty and love of faithful Sub-
'jects (eſpecially of your Nation) to
'bewail his Overthrow that had con-
'ſpired againſt their moſt natural and
'liberal Lord.

Two days after *Raleigh*'s Tryal, were ſentenced *Brook*, who pretended his intention was only to try faithful Subjects, and ſaid he had a Commiſſion for ſo doing, but produc'd it not; *Markham*, who confeſt the Indictment, pleaded Diſcontent, and deſired Mercy; *Watſon*, who confeſt he drew them all in, holding the King to be no Sovereign till he were crown'd, inſtancing in *Saul* and *Jeroboam*; And *Clark*, who ſaid

ſaid the like. *Parham* and *Brooksby* were acquitted by the Jury. *Watſon*, *Clark*, and *Brook* were executed; *Markham*, *Cobham*, and *Grey* brought ſeverally on the Scaffold to dye, and at the inſtant on the Block, had their particular Executions remitted, by a Letter to the Sheriff under the King's own Hand, without the knowledge of any, ſave Mr. *Gibbs*, Gentleman of the Bedchamber, that brought it. However an evil Fate did attend theſe Men; *Grey* died in the Tower, the laſt of his Line; the reſt were diſcharg'd but died miſerably poor: *Markham* and ſome others abroad; but *Cobham* (as *Osborn* tells us) in a Room aſcended by a Ladder, at a poor Womans houſe in in the *Minories* (formerly his Landreſs) died rather of hunger than a natural diſeaſe.

Sir *Walter* was left to his Majeſties Mercy, who thought him too great a Male-

Male-content to have his Freedom, and probably too Innocent to loſe his Life. Therefore in the Tower he is confin'd, but permitted to enjoy *Libera Cuſtodia*; where he improv'd his Impriſonment to the greateſt advantage of Learning and Inquiſitive Men. Since his Majeſty had civilly buried him, and as it were baniſh'd him this World, he thought it no Treaſon to diſturb the Aſhes of former times, and bring to view the Actions of deceaſed Heroes. And certainly none was ſo fit to comment on their Atchievements, and ſo able to raiſe excellent Maxims from them, as he who had been brought up in ſo wiſe a Court as Queen *Elizabeth*'s, and read ſo many wiſe Men. After ſome time paſt there, he was delivered of that great *Minerva*, the *Hiſtory of the World*; a Book which for the Exactneſs of its Chronology, Curiouſneſs of its Contexture

texture and Learning of all Sorts, ſeems to be the Work of an Age. An Hiſtory which never yet met with a Detractor, and was the Envy, if ſome Authors may be credited, of King *James* himſelf, who thought none could outdo him at the Pen. That a Man who had been the greateſt part of his life taken up in Action, ſhould write ſo judiciouſly, ſo critically of Times and Actions, is as great a Wonder as the Book it ſelf. It ſtill remains a Diſpute whether the Age he lived in was more obliged to his Pen or his Sword, the one being buſie in conquering the *New*, the other in ſo bravely deſcribing the *Old* World. An Hiſtory wherein the only fault, or defect rather, is, that it wanteth one half thereof; which was occaſioned, as our Story tells us, thus: Some few days before he ſuffered, he ſent for Mr. *Walter Burr*, who formerly printed his firſt Volumn of the Hiſtory

of the World, whom taking by the Hand, after ſome other Diſcourſe, he ask'd how it h d ſold? Mr. *Burr* returned this Anſwer, *It ſold ſo ſlowly that it had undone him.* At which words of his Sir *Walter* ſtepping to his Desk, reaches his other unprinted Part of his Hiſtory, which he had brought down to the Times he lived in, and clapping his hand upon his breaſt, ſaid with a ſigh, *Ah, my Friend, hath the firſt Part undone thee? the ſecond Part ſhall undo no more; this ungrateful World is unworthy of it:* and immediately going to the Fire-ſide, threw it in, and ſet his foot upon it till it was conſumed. As great a loſs to Learning as Chriſtendom could have ſuſtained; the greater, becauſe it could be repaired by no hand but his. It often happening to Authors, as to great Maſters in Painting, their Pieces are not valued till they are dead, and the ſucceeding Age find the Originals inimitable. Whilſt

Whilſt Sir *Walter* was thus confined, Death took away his and *Eſſex*'s mortal Enemy, Sir *Robert Cecil*, after Earl of *Salisbury*, who had purchaſed the monopoly of Favour, and being jealous of Sir *Walter*'s Parts, had ſome fear he might ſupplant him; which was the Cauſe, according to *Osborn*, that he was brought to the aforementioned Tryal. However Sir *Walter* outlived his Enemies deſigns and hatred, and for all his kindneſſes beſtowed upon him the following Epitaph, which I am upon very good grounds aſſured to be his. King *James* was ſo much taken with the ſmartneſs of it, that he hoped the Author would die before him. The Verſes are theſe:

Here lies Hobinal, *our Paſtor while here,*
That once in a quarter our fleeces did ſhear.
To pleaſe us, his Cur he kept under clogg,
And was ever after both Shepherd and Dog.
For Oblation to Pan *his Cuſtom was thus,*
He firſt gave a trifle, then offer'd up us.
And through his falſe Worſhip ſuch pow'r he did gain,
As kept him 'oth Mountain, and us on the Plain:
Where many a Hornpipe he tun'd to his Phillis,
And ſweetly ſung Walſingham *to's* Amarillis;
Till Atropos *clapt him, a Pox on the Drab,*
For ſpight of his Tarbox he dy'd of the Scab.

If the Reader deſires a Key to theſe Verſes, he may meet with it in *Osborn*'s Memoirs, who yet for all his Intelligence hath not informed us, that his Miſtreſſes Name was *Walſingham.*

Fourteen

Fourteen Years Sir *Walter* had ſpent in the *Tower*, and being weary of a ſtate wherein he could be only ſerviceable by his Pen, but not in a capacity of ſerving and enriching his Country any other way, (Of whom Prince *Henry* would ſay, that no King but his Father would keep ſuch a Bird in a Cage;) At length he fell upon an Enterprize of a Golden Mine in *Guiana* in the Southern Parts of *America*. The Propoſition of this was preſented and recommended to his Majeſty by Sir *Ralph Winwood* the Secretary of State, as a Matter not in the Air, or Speculative, but Real, and of certainty: for that Sir *Walter* had ſeen of the Ore of the Mine, and tried the richneſs of it, having gotten a pound from thence by the hands of Captain *Kemiſh* his ancient Servant.

Sir *Ralph Winwood*'s Recommendations of the Deſign, and the earneſt Sollicitations for his Enlargement of

the Queen, the Prince, and the *French* Lieger (with much affection to his Deſerts, not without ſome Politick Deſigns on *Spain*) together with the Aſſeverations of Sir *Walter* of the Truth of the Mine, work'd upon his Majeſty, who thought himſelf in Honour obliged, nay in a manner ingaged (as the Declaration which he publiſhed after the Death of Sir *Walter* tells us) not to deny unto his People the Adventure and Hope of ſo great Riches to be ſought and atchieved at the Charge of Voluntiers, eſpecially ſince it ſtood ſo well with his Majeſties Politick and Magnanimous Courſes in theſe his flouriſhing Times of Peace, to nouriſh and encourage Noble and Generous Enterprizes for Plantations, Diſcoveries, and opening of a new Trade.

Count *Gondamor* (an active and ſubtile Inſtrument to ſerve his Maſter's ends)

euds) took Allarm at this, and repreſented to his Majeſty the Enterprize of Sir *Walter* to be hoſtile, and predatory, intending a breach of the Peace between the two Crowns. But notwithſtanding, Povver at laſt is granted to Sir *Walter* to ſet forth Ships and Men for that Service. However, the King commanded him upon pain of his Allegiance to give him under his Hand (promiſing on the Word of a King to keep it ſecret) the number of his Men, the burthen and ſtrength of his Ships, together with the Country and River which he was to enter; vvhich being done accordingly by Sir *Walter*, that very Original Paper vvas found in the *Spaniſh* Governours Cloſet at St. *Thoma*. So active vvere the *Spaniſh Miniſters*, that Advertiſement vvas ſent to *Spain*, and thence to the *Indies*, before the *Engliſh* Fleet got out of the *Thames*.

But as vve have juſt Cauſe to admire

mire the more than uſual Activity of the *Spaniſh* Agents, ſo may vve vvonder no leſs at the Miſcarriage of his Majeſties preſent *Miniſters*, vvho notvvithſtanding he had paſt his Royal Word to the contrary, yet they did help Count *Gondamor* to that very Paper; So much both King and Court vvere at *Gondamor's* ſervice.

A Commiſſion indeed is granted, but by *Gondamor's* means is limited; that the Fleet ſhould commit no Outrages upon the King of *Spain's* Subjects by Land, unleſs they began firſt; with other limitations in the Commiſſion, vvhich for the Readers Curioſity and Satisfaction I have here inſerted.

JAMES

JAMES, by the Grace of GOD, &c. To all to whom theſe Preſents ſhall come, to be read, heard, or ſeen, and to every of them greeting: Whereas Sir Walter Raleigh Knight, intendeth to undertake a Voyage by Sea and Shipping, unto the South parts of America, or elſewhere within America, poſſeſſed and inhabited by Heathen and Savage People; to the end, to diſcover and find out ſome Commodities and Merchandizes in thoſe Countries, that be neceſſary and profitable for the Subjects of theſe Our Kingdoms and Dominions, whereof the Inhabitants there make little or no uſe or eſtimation; Whereupon alſo may enſue

sue by Trade and Commerce, some propagation of the Christian Faith, and reformed Religion amongst those Savage and Idolatrous people: And whereas We are credibly informed, that there are divers Merchants and Owners of Ships, and others, well disposed to assist the said Sir Walter Raleigh in this his Enterprise, had they sufficient Assurance to enjoy their due parts of the Profits returned (in respect of the Peril of Law wherein the said Sir Walter Raleigh now standeth:) And whereas also We are informed, that divers other Gentlemen, the Kinsmen & Friends of the said Sir Walter Raleigh, and divers Captains and other Commanders, are also desirous to follow him, and to adven-

ture

their Lives with him in this his Journey, so as they might be commanded by no other than himself.

Know ye, that We, upon deliberate Consideration had of the Premisses, being desirous by all Ways and means to Work and procure the benefit and good of Our loving Subjects, and to give our Princely furtherance to the said Sir Walter Raleigh, his Friends and Associates herein, to the Incouragement of others in the like laudable Journeys and Enterprizes, to be hereafter prosecuted and pursued; and especially in advancement and furtherance, aswel of the Conversion of Savage People, as of the increase of Trade, Traffique, and Merchandizes used by Our Subjects of

of this Our Kingdom, being most famous throughout all Nations: Of Our special Grace, certain knowledg, and meer motion, have given and granted, and by these Presents for Us, Our Heirs, and Successors, do give and grant unto the said Sir Walter Raleigh, full Power and Authority, and free Licence and Liberty out of this Our Realm of England, or any other Our Dominions, to have, carry, take, and lead, for and towards his said intended Voyage unto the said South parts, or other parts of America, (possessed and inhabited, as aforesaid) and to Travel thither, all such, and so many of Our loving Subjects, or any other Strangers that will become Our loving Subjects, and live under Our Obeysance and Alle-

Allegiance, as shall willingly accompany him, with sufficient Shipping, Armour, Weapons, Ordnance, Munition, Powder, Shot, Habiliments, Victuals, and such Wares and Merchandizes, as are esteemed by the Wild People in those parts, Clothing, Implements, Furniture, Cattel, Horses & Mares, and all other such things as he shall think most necessary for his Voyage, and for the use and defence of him and his Company, and trade with the People there; and in passing and returning to and fro, and in those parts, to give away, Sell, Barter, Exchange, or otherwise dispose of the same Goods, Merchandizes, and Premises, to the most benefit, and at the will and pleasure of the said Sir Wal-

Walter Raleigh and his Compa-ny, and such other Person or Persons, as shall be Adventu-rers or Assistants with, or unto him in this his intended Voy-age, and from thence to Return, Import, Convey, and bring in-to this Our Kingdom, or any other Our Dominions, such Gold, Silver, Bullion, or any other Wares, or Merchandizes, or Commodities whatsoever, as they shall think most fit and con-venient; and the same being so Returned, Imported, Convey-ed, and Brought into this Our Kingdom, or any other Our Dominions, to have, take, keep, retain, and convert to the only proper Use, Benefit, and Be-hoof of the said Sir Walter Ra-leigh, and his said Company, and other Persons Adventu-

rers

rers and Assistants With, or to him in his Voyage, Without the Let, Interruption, Molestation, and Disturbance of Us, Our Heirs or Successors, or any the Officers, or Ministers of Us, Our Heirs or Successors Whatsoever; Paying and Answering unto Us, Our Heirs, and Successors, the full fifth part, in five parts to be divided, of all such Gold, and Silver, and Bullion, and Oar of Gold, or Silver, and Pearl, and precious Stones, as shall be Imported over and besides; and together With such Customs, Subsidies, and other Duties, as shall be due for, or in respect of any other Goods, Wares, or Merchandizes Whatsoever to be so Imported by the true meaning of these Presents. And

to

to the end the said Sir Walter Raleigh may be the more Encouraged to go forward in this his Enterprise, and all Our loving Subjects desirous to be Adventurers with him, or Assistant unto him, may be the more incited to further his Proceedings: We do hereby in verbo Regio, for Us, Our Heirs and Successors, Covenant, Promise, and Grant, to and with the said Sir Walter Raleigh, and all other Persons that shall accompany him, or to be attendant upon him, or to be Adventurers or Assistants with, or to him in this his Voyage, that no Gold, Silver, Goods, Wares, or Merchandizes whatsoever, of what kind or sort soever, by him or them, or any of them to be Imported into this

Our

Our Kingdom of England, or any other Our Dominions, from any the ſaid South, or other parts of America, (Poſſeſſed or Inhabited, as aforeſaid) ſhall be attached, ſeized, or taken by Us, Our Heirs or Succeſſors, or to the uſe of Us, Our Heirs or Succeſſors, or by any the Officers or Miniſters of Us, Our Heirs or Succeſſors Whatſoever; But that the ſame, and every of them (the fifth part of the ſaid Gold, Silver, or Bullion, and Oar of Gold and Silver, and Pearl, and precious Stones, and other the Cuſtoms and Duties aforeſaid, being truly anſwered and payed) ſhall be, and remain to the ſole and proper uſe and behoof of the ſaid Sir Walter Raleigh, and his ſaid Company, and ſuch Perſons as ſhall be Ad-

venturers with him, or Assistant to him in this his Voyage; any Law, Statute, Act of Parliament, Proclamation, Provision, or Restraint, or any Right, Title, or Claim of Us, Our Heirs or Successors, or any other matter or thing Whatsoever to the contrary in any Wise notwithstanding. And further, of Our more especial Grace, certain Knowledg, and meer Motion, We do hereby for Us, Our Heirs and Successors, ordain, constitute and appoint the said Sir Walter Raleigh to be the sole Governour and Commander of all Persons that shall travel, or be with him in the said Voyage, to the said South, or other parts of America, (so possessed and inhabited as aforesaid) or in returning from thence.

And

And We do hereby give unto him full Power and Authority to Correct, Punish, Pardon, Govern, and Rule them, or any of them, according to such Orders, Ordinances, Constitutions, Directions, and Instructions, as by the said Sir Walter Raleigh shall be from time to time Established, aswel in cases Capital and Criminal, as Civil, both Marine and other; So always as the said Statutes, Ordinances, and Proceedings (as near as conveniently may be) be agreeable to the Laws, Statuts, Government and Policy of this Our Realm of England, and not against the true Christian Faith now professed in the Church of England. And because that in such and the like Enterprises and Voyages, great

Inconveniencies have grown by the mutinous and disorderly carriage of the Mariners and Saylors employed in the same, for want of sufficient Authority to punish them according to their Offences: We do therefore by these Presents for Us, Our Heirs and Successors, give full Power and Authority to the said Sir Walter Raleigh, in case of Rebellion or Mutiny by Sea or Land, to use and exercise Martial Law (upon just ground and apparent necessity) in as large and ample manner as our Lieutenant General by Sea or Land, or our Lieutenants in Our Counties, within Our Realm of England, have, had, or ought to have by force of their Commission of Lieutenancy. And We do further by these Pre-

sents

ſents, give full Power and Authority to the ſaid Sir Walter Raleigh, to Collect, Nominate and Appoint ſuch Captains, and other inferiour Commanders and Miniſters under him, as ſhall be requiſite for the better ordering and governing of his Company, and the good of the Voyage. And further, We do by theſe Preſents, for Us, Our Heirs and Succeſſors, ſtraightly Charge and Command the Warden of Our Cinque Ports, and all the Cuſtomers, Comptrollers, Surveyers, Searchers, Waiters, and other Officers and Miniſters of Us, Our Heirs and Succeſſors, for the time being, that they and every of them do quietly permit and ſuffer the ſaid Sir Walter Raleigh, and all Perſon and Perſons

ſons that ſhall be Willing to Travel and Adventure with him in this Voyage With their Ships, Munition, Goods, Wares, and Merchandizes whatſoever out of this Our Realm, or any other Our Dominions, to paſs into the ſaid South or other parts of America, (Poſſeſſed and Inhabited as aforeſaid,) and from thence to return and import into this Our Realm, or any other Our Dominions, any Goods, Wares, or Merchandizes Whatſoever, and there to Sell, or otherwiſe diſpoſe of the ſame, to the beſt benefit and advantage, and to the only uſe and behoof of the ſaid Sir Walter Raleigh, and his Company, and ſuch other Perſons as ſhall be Adventurers with him in this Voyage;

age; paying the fifth part of all Gold, and Silver, and Bullion, and Oar of Gold, and Silver, and of Pearl, and precious Stones imported, and other the Customs and Duties aforesaid. And these Presents, or the Inrolment thereof, shall be unto the said Wardens of the Cinque Ports, Customers, Comptrollers, and other the Officers and Ministers aforesaid, for the time being, a sufficient Warrant and Discharge in that behalf. And Our Will and Pleasure is; And by these Presents, for Us, Our Heirs and Successors, We do grant unto the said Sir Walter Raleigh, That these Our Letters Patents, or the Inrolment thereof, and all and singular Grants,

Clauſes, and things therein contained, ſhall be firm, ſtrong, ſufficient, and effectual in Law, according to Our gracious Pleaſure and Meaning herein expreſſed; Any Law, Statute, Act, Proviſion, Ordinance, or Reſtraint, or any other Matter or Thing to the contrary thereof in any Wiſe notwithſtanding. Although expreſs mention, &c. In Witneſs whereof, &c. Witneſs Our Self at Weſtminſter the ſix and twentieth Day of Auguſt, in the fourteenth Year of Our Reign of England, France, and Ireland, and of Scotland the fiftieth.

Per breve de privato Sigillo.

With

With this Commiſſion, and the Company of ſeveral brave Captains, and other Knights and Gentlemen of great Blood and Worth, he ſet out in Queſt of the Mine, with a compleat Fleet of Twelve Sail; letting fall a Speech at his Departure, which was rather an Argument of his Wit than his Wiſdom, *That his whole Hiſtory of the World had not the like Preſident: Of a Kings Priſoner to purchaſe Freedom, and his boſome Favourite to have the Halter; but in Scripture*, Mordecai *and* Haman: Meaning himſelf and the Duke of *Sommerſet.* To which he was told, that the King replied, *He might die in that Deceit*; which he did, for *Sommerſet* was ſaved. Of whom was made good what Sir *Walter* uſed to ſay of Favourites; That Minions were not ſo happy as Vulgar Judgments thought them, being frequently commanded to uncomely, and ſometimes to unnatural Imployments.

On

On the 17*th* of *November*, he arrived at *Guiana*, having been much retarded by contrary Winds, and having loſt ſeveral of his Voluntiers in the Voyage, by a violent *Calenture*. But of the whole Tranſactions, Sir *Walter* hath given us an exact Account, in his Letter to Sir *Ralph Winwood*, Secretary; which I have here tranſcribed.

SIR,

AS *I have not hitherto given you any Account of our Proceedings and Paſſages towards the* Indies, *ſo have I no other Subject to write of, than of the greateſt Misfortunes that ever befel any Man. For whereas for the firſt, all thoſe that navigate between* Cape de Verd, *and* America, *do paſs between Fifteen or Twenty Days at moſt, we found the Wind ſo contrary, and (which are alſo contrary to Nature) ſo many Storms and Rains, as we ſpent*

ſpent ſix Weeks in the Paſſage; by reaſon whereof, and that in ſo great Heat, we wanted Water. For at the Iſle Prano *of* Cape de Verd, *we loſt our Anchors and Cables, and our Water-Casks; and being driven from the Iſle with a* Hurricane, *we were like all to have periſhed. Great ſickneſs fell amongſt us, and carried away great numbers of our ableſt Men, both for Sea and Land. The* 17th *of* November, *we had ſight of* Guiana, *and ſoon after came to Anchor in five Degrees of the River* Galliano; *here we ſtaid till the fourth of* December, *landed our Sick-men, ſet up our Barges and Shallops, which were brought out of* England *in Quarters, waſhed our Ships, and took in Freſh-water, being fed and cheriſhed by the* Indians *of my old Acquaintance, with a great deal of Love and Reſpect. My ſelf being in the hands of Death this ſix Weeks, and not able otherwiſe to move, than as I was carried in a Chair, gave order to five ſmall Ships to ſail into* Orinoque, *having*

Cap-

Captain Kemiſh *for their Conductor towards the Mines: And in thoſe five Ships, five Companies of fifty, under the Command of* Captain Parker, *Captain* North, *Brethren to the Lord* Monteagle, *and the Lord* North, *valiant Gentlemen, and of infinite Patience, for the Labour, Hunger, and Heat which they have endured: My Son had the third Company; Capt.* Thornix *of* Kent *the fourth Company; Capt.* Chidley, *by his Lieutenant, the fifth. But as my Serjeant Major, Capt.* Piggot, *died in the former miſerable Paſſage; ſo my Lieutenant, Sir* Warham Saint Leiger, *lay ſick without hope of Life, and the Charge conferred on my Nephew,* George Raleigh, *who had alſo ſerved long with infinite Commendations; but by reaſon of my abſence, and of Sir* Warham's, *was not ſo well obeyed as the Enterpriſe required. As they paſſed up the River, the* Spaniards *began the War, and ſhot at us, both with their Ordnance and Muskets; whereupon the Companies were forced to charge them*

them, and ſoon after beat them out of the Town. In the Aſſault my Son (more deſirous of Honour than Safety) was ſlain; with whom, to ſay truth, all the reſpects of this World have taken end in me; and although theſe five Captains had as weak Companies as ever followed valiant Leaders, yet were there among them ſome twenty or thirty valiant adventurous Gentlemen, and of ſingular Courage; as of my Sons Company, Mr. Knivet, *Mr.* Hammond, *Mr.* Langworth, *Mr.* John Pleaſington; *his Officers, Sir* John Hambden, *Mr.* Simon Leak, *Corporal of the Field, Mr.* Hammond, *the elder Brother, Mr.* Nicholas *of* Buckingham, *Mr.* Roberts *of* Kent, *Mr.* Perin, *Mr.* Treſham, *Mr.* Mollinax, *Mr.* Winter, *and his Brother, Mr.* Wray, *Mr.* Miles Herbert, *Mr.* Bradſhaw, *Captain* Hall, *and others.*

Sir, I have ſet down the Names of theſe Gentlemen, to the end that if his Majeſty ſhall have cauſe to uſe their Service, it may

pleaſe

pleaſe you to take notice of them for very ſufficient Gentlemen. The other five Ships ſtaid at Trinidado, *having no other Port capable of them near* Guiana. *The ſecond Ship was commanded by my Vice-Admiral Capt.* John Pennington, *of whom (to do him right) he is one of the ſufficienteſt Gentlemen for the Sea that* England *hath. The third by Sir* Warham Saint-Legier, *an exceeding valiant and worthy Gentleman. The fourth by Sir* John Fern. *The fifth by* Capt. Chidley *of* Devon. *With theſe five Ships I daily attended their Armada of* Spain, *which had they ſet upon us, our Force divided, the one half in* Orinoque 150 *miles from us, we had not only been torn in pieces, but all thoſe in the River had alſo periſhed, being of no force at all for Sea-fight. But we had reſolved to be burnt by their ſides, had the Armada arrived: But belike they ſtaid for us at* Margaret, *by which they knew we muſt paſs to the* Indies. *For it pleaſed his Majeſty to value us at ſo little, as to command*

me

me upon my Allegiance, to ſet down under my hand the Country, and River by which I was to enter it; to ſet down the Number of my Men, and Burthen of my Ships, and what Ordnance every Ship carried: which being known to the Spaniſh Ambaſſador, and by him unto the King of Spain, a diſpatch was made, and Letters ſent from Madrid, before my departure out of the Thames. For his firſt Letter, ſent by a Barque of Advice, was dated the 19th of March, 1617. at Madrid, which Letter I have here incloſed ſent to your Honour; the reſt I reſerve, not knowing whether they may be intercepted or not. The ſecond by the King, dated the ſecond of May, ſent alſo by a Colonel of Diego de Polonioque, Governour of Guiana, Elderedo, and Trinidado. The third by the Biſhop of Perericho, and delivered to Polonioque, the 15th of July at Trinidado. And the fourth was ſent from the Farmer and Secretary of his Cuſtoms in the Indies. At the ſame time by that of the Kings

Hand

Hand ſent by the Biſhop, there was alſo a Commiſſion for the ſpeedy Levying of 300 *Souldiers, and ten Pieces of Ordnance, to be ſent from* Portriche, *for the Defence of* Guiana. *One* 150 *from* Nueno Remo de Grando, *under the Command of Captain* Anthony Muſica; *and the other* 150 *from* Portricho, *to be conducted by Captain* Francis Landio.

Now Sir, if all that have traded to the Indies *ſince his Majeſties time, knew that the* Spaniards *have flayed alive all the poor Men which they have taken, being but Merchant Men, what Death and cruel Torment ſhall we expect, if they conquer us? Certainly, they have hitherto failed groſly, being ſet out thence as we were, both for Number, Time, and Place.*

Laſtly, To make an Apology *for not working the Mine (though I know his Majeſty expected it, whom I am to ſatisfie as much as my ſelf) having loſt my Son and my Eſtate in the Enterprize; yet it is true, that*

the

the Spaniards *took more care to defend the Paſſage leading unto it, than they did the Town, which by the King's Inſtructions they might eaſily do, the Countries being* Aſpera & Nemoroſa.

But it is true, that when Capt. Kemiſh *found the River low, and that he could not approach the Banks in moſt places near the Mine by a mile, and where he found a deſcent, a volley of Muſquet ſhot came from the Woods upon the Boat, and ſlew two Rowers, hurt ſix others, and ſhot a valiant Gentleman of Capt.* Thornix, *of which Wound he languiſheth to this day. He, to wit, Capt.* Kemiſh, *following his own Advice, thought it was in vain to diſcover the Mine; and he gave me this for an Excuſe at his return, That the Companies of* Engliſh *in the Town of St.* Thoma *were not able to defend it againſt the daily and nightly Aſſaults of the* Spaniards; *That the Paſſages to the Mines were thick and unpaſſable Woods; and that the Mine being diſcovered, they had no Men to*

work it, did not discover it at all. For it is true, the Spaniards having two Gold Mines near the Town, the one possessed by Pedro Rodrigo de Paran, the second by Harmian Frotinio, the third of Silver by Capt. Francisco, are useless for want of Negroes to work them: For as the Indians cannot be constrained, by a Law of Charles the 5th, so the Spaniards will not, nor can endure the labour of those Mines, whatsoever the Bragadocio the Spanish Ambassador saith. I shall prove under the Proprietors hands, by the Custom-Book, and the King's Quinto, of which I recovered an Ingot or two: I shall also make it appear to any Prince, or State, that will undertake it, how easily those Mines, and five or six more of them, may be possessed, and the most of them in those Parts, which have never as yet been attempted by any, nor by any Passage to them, nor ever discovered by the English, French, or Dutch. But at Kemish's return from Orinoque, when I rejected his counsel and his course, and told

told him he had undone me, and wounded my Credit with the King past recovery, he slew himself: For I told him, seeing my Son was slain, I cared not if I had lost 100 more in opening the Mine, so my Credit had been saved. For I protest before God, had not Captain Whitney (to whom I gave more countenance than to all the Captains of my Fleet) run from me at the Granadoes, and carried another Ship with him of Captain Woolastons, I would have left my Body at St. Thome, by my Sons, or have brought with me out of that or other Mines, so much Gold Oar as should have satisfied the King. I propounded no vain thing, what shall become of me I know not. I am unpardoned in England, and my poor Estate consumed, and whether any Prince will give me Bread or no, I know not. I would desire your Honour to hold me in your good Opinion, to remember my Service to my Lord of Arundel and Pembroke, to take some pity on my poor Wife, to whom I dare not write for renew-

ing her ſorrow for her Son. And I beſeech you to give a Copy of this to my Lord Carew; *for to a broken Mind, a ſick Body, and weak Eyes, it is a torment to write many Letters. I have found many things of Importance for diſcovering the State and Weakneſs of the* Indies, *which if I live I ſhall hereafter impart unto your Honour, to whom I ſhall remain a faithful Servant.*

WALTER RALEIGH.

Whilſt this Action of *St. Thome* was performed, and the Repulſe in the way to the Mine, Sir *Walter* ſtaid at *St. Point de Gallo* the ſpace of nine weeks, where the unwelcome news was brought him of the loſs of his Son, and the Defeat they met with in their Deſign upon the Mine. However this ill News could not alter the Reſolutions of Sir *Walter*, of Returning to *England*, though he knew he ſhould meet with ſeveral Enemies there, who had by their Calumnies

nies rendred the Voyage nothing but a Design; and though several of his Men were for landing at *New-found-Land*. For if we may believe himself at the hour of his Death, the two Noble Earls, *Thomas* of *Arundel*, and *William* of *Pembroke*, engaged him to return; and Sir *Walter* was resolv'd, thô inevitable Danger threatned him, to keep his Promise.

No sooner had they arrived upon the Coasts of *Ireland*, but the Taking and Sacking of *St. Thome*, firing of the Town, and putting the *Spaniards* there to the Sword (though in their own defence) was noised abroad in all parts, and was by special Advertisment come unto the knowledg of Count *de Gondamor*: Who thereupon desiring Audience of his Majesty, said he had but one word to say: His Majesty much wondring what might be delivered in one word; when he came before him, he

only bawl'd out, *Pyrates, Pyrates, Pyrats.* A very pretty ſhort Speech for an Ambaſſador. Whereupon his Majeſty publiſhed his Royal Proclamation, for the diſcovery of the Truth of Sir *Walter Raleigh's* Proceedings, and the Advancement of Juſtice. But after all this Noiſe, Sir *Walter* is not queſtion'd for his *Guiana* Action. For it is believed, not without very good Ground, that neither the tranſgreſſion of his Commiſſion, nor any thing acted beyond the Line, where the Articles of Peace between the two Crowns did not extend, could have in a legal courſe of Tryal ſhortned his days.

When Sir *Walter* was arrived at *Plymouth*, Sir *Lewis Steukly*, Vice-Admiral of the County of *Devon*, ſeiz'd him, being Commiſſioned by his Majeſty to bring him to *London*; which could add no Terror to a Perſon who could expect nothing leſs; and was now forc'd to make

make uſe of all the Arts imaginable to appeaſe his Majeſty, and defer his Anger. To which intent, *Manowry*, a *French* Quack at *Salisbury*, gave him ſeveral Vomits, and an Artificial Compoſition, which made him look gaſtly and dreadful, full of Pimples and Bliſters, and put the Cheat upon the very Phyſicians themſelves, who could not tell what to make of his Urine (thô often inſpected) being adulterated with a Drug in the Glaſs, that turn'd, it even in their very hands, into an earthy humour of a blackiſh colour, and of a very offenſive ſavour.

While he lay under this Politick diſguiſe, he penn'd his *Declaration* and *Apologie*, which have ſufficiently proved his honourable Deſigns in that Voyage, and anſwered the little Calumnies of his Enemies. When he was brought to *London*, he was permitted the Confinement of his own Houſe: But find-

ing the Court wholly guided by *Gondamor*, he could hope for little Mercy; therefore he wisely contriv'd the design of an Escape into *France*, which Sir *Lewis Steuckley* betrayed. But the fate of Traytors pursued him, and brought him to a Contemptible End, to dye a poor distracted Beggar in the Isle of *Lindey*, having for a Bag of Money falsified his Faith, confirmed by the tye of the holy Sacrament, (if we may give credit to Mr *Howel*, who hath given us this Story;) as also before the Year came about, to be found clipping the same very Coyn in the King's own House at *White-Hall*, which he had received for a Reward of his Perfideousness: for which, being condemn'd to be hang'd, he was forc'd to sell himself to his Shirt, to purchase his Pardon of two Knights.

King *James* was willing to sacrifice the Life of Sir *Walter* to the Advance-

ment

ment of Peace with *Spain*, but not upon ſuch Grounds as the Ambaſſadour had deſign'd: for he deſir'd a Judgment upon the pretended Breach of Peace, that by this Occaſion he might ſlily gain from the *Engliſh* an Acknowledgment of his Maſter's Right in thoſe Places, and hereafter both ſtop their Mouthes, and quench their Heat and Valour. Hence upon his old Condemnation (for having had experience upon a former Tryal, they cared not to run the hazard of a ſecond) he was ſentenced: The old Judgment being only Averred againſt him; and from *Weſtminſter-Hall* he was carried to the *Gate-Houſe*; and from thence the next Morning to the Parliament-Yard, where he had the Favour of the Ax granted him. But all Perſons have wondred how that old Sentence, that had lain dormant ſixteen Years and upwards againſt Sir *Walter*, could have been

been made uſe of to take off his Head afterwards: Conſidering the then Lord Chancellor *Verulam* told him poſitively, (as Sir *Walter* was acquainting him with that Proffer of Sir *William St. Geon* for a Pecuniary Pardon, which might have been obtained for a leſs Sum, than his *Guiana* Preparations amounted to) in theſe words: 'Sir, the Knee Timber 'of your Voyage is Money; ſpare your 'Purſe in this particular, for upon my 'Life you have a ſufficient Pardon for 'all that is paſſed already, the King 'having under his Broad Seal made 'you Admiral of your Fleet, and gi-'ven you Power of the Martial Law 'over the Officers and Souldiers. It was the Opinion of moſt Lawyers, that he, who by his Majeſties Patent, had power of Life and Death over the Kings Leige People, ſhould be eſteemed or judged *Rectus in Curia*, and free from all old Convictions. But

Sir

Sir *Walter* hath made the beſt Defence for his *Guiana* Actions, in his Letter to his Majeſty, which I have here inſerted.

May it pleaſe your moſt excellent Majeſty.

'IF in my Journey outward bound, 'I had my Men murdered at the 'Iſland, and yet ſpared to take Revenge. 'If I did diſcharge ſome *Spaniſh* Barques 'taken, without ſpoil. If I did forbear 'all parts of the *Spaniſh Indies*, where-'in I might have taken twenty of their 'Towns on the Sea Coaſts, and did on-'ly follow the Enterpriſe I undertook 'for *Guiana*, where without any Di-'rections from me a *Spaniſh* Village 'was burnt, which was new ſet up 'within three miles of the Mine; by 'your Majeſties favour, I find no Rea-'ſon why the *Spaniſh* Ambaſſador 'ſhould complain of me. If it were 'lawful for the *Spaniards* to murder 26

Engliſh-

'*Engliſhmen*, binding them back to back,
'and then cutting their Throats, when
'they had traded with them a whole
'Month, and came to them on the
'Land without ſo much as one Sword;
'and that it may not be lawful for your
'Majeſties Subjects, being charged firſt
'by them, to repel Force by Force; we
'may juſtly ſay, O miſerable *Engliſh*!
'If *Parker* and *Metham* took *Campeach*
'and other Places in the *Honduraes*, ſeat-
'ed in the Heart of the *Spaniſh Indies*,
'burnt Towns, killed the *Spaniards*,
'and had nothing ſaid to them at their
'Return, and my ſelf forbore to look
'into the *Indies* becauſe I would not of-
'fend; I may juſtly ſay, O miſerable
'Sir *Walter Raleigh*! If I ſpent my poor
'Eſtate, loſt my Son, ſuffered by Sick-
'neſs, and otherwiſe a world of Miſe-
'ries; if I have reſiſted with the mani-
'feſt hazard of my Life, the Robbe-
'ries and Spoils which my Company
would

'would have made; if when I was
'Poor, I might have made my ſelf
'Rich; if when I had gotten my Li-
'berty, which all Men, and Nature it
'ſelf do ſo much priſe, I voluntarily loſt
'it; if when I was ſure of my Life, I
'rendred it again; if I might elſewhere
'have ſold my Ship and Goods, and
'put 5 or 6000 Pound in my Pocket,
'and yet have brought her into *England*.
'I beſeech your Majeſty to believe,
'that all this I have done, becauſe it
'ſhould not be ſaid to your Majeſty,
'that your Majeſty had given Liberty
'and Truſt to a Man whoſe End was
'but the Recovery of his Liberty, and
'who had betrayed your Majeſties
'Truſt. My Mutineers told me that if
'I returned for *England*, I ſhould be un-
'done; but I believed in your Maje-
'ſties Goodneſs more than in all their
'Arguments. Sure I am, that I am the
'firſt that being free, and able to en-

rich

'rich my ſelf, have imbraced Poverty
'and Peril: And as ſure I am, that my
'Example ſhall make me the laſt. But
'your Majeſties Wiſdom and Good-
'neſs I have made my Judges, who
'have ever been, and ſhall ever be,

Your Majeſties moſt humble Vaſſal,

WALTER RALEIGH.

But this Apology, though never ſo perſwaſive, could not ſatisfy *Gondamor*'s Rage, who was reſolv'd to ſacrifice the only Favourite left of Queen *Elizabeth*, to the *Spaniſh* Intereſt: And who, as *Osburn* remarks, was the only Perſon of *Eſſex*'s Enemies that died lamented; and the only Man of Note left alive, that had help'd to beat the *Spaniard* in the Year 1588.

Upon Thurſday the 29th of *Octob.* 1618. Sir *Walter Raleigh* was conveyed by

by the Sheriffs of *London* to a Scaffold in the Old Palace at *Weſtminſter*, where he was executed about nine of the Clock in the Morning of the ſame Day, Whoſe Confeſſion and ſeveral Speeches there delivered, with his Geſture and Behaviour, were as follows.

His firſt appearance upon the Scaffold, was with a ſmiling Countenance ſaluting the Lords, Knights, and Gentlemen, with others of his Acquaintance there preſent; when after a Proclamation of Silence by an Officer appointed, he addreſſed himſelf to ſpeak in this manner.

I deſire to be born withal, becauſe this is the third Day of my Feaver: And if I ſhew any weakneſs, I beſeech you attribute it to my Malady, for this is the hour I look for it.

Then pawſing a while, directing himſelf towards a Window, where the Lord of *Arundel*, and the Lord of *Doncaſter*, with ſome other Lords and Knights

Knights ſate, with a loud Voice he ſaid as followeth:

'I thank God of his infinite Good-'neſs that he hath ſent me to dye in 'the ſight of ſo Honourable an Aſſem-'bly, and not in Darkneſs. But by rea-ſon the place where they ſat was ſome diſtance from the Scaffold, that they could not eaſily hear him, he ſaid, *I will ſtrain my ſelf, for I would willingly have your Honours hear me.* The L. of *Arundel* anſwered, *We will come upon the Scaffold;* where after he had ſaluted every one of them ſeverally, he began as follows:

'As I ſaid, I thank my God heartily 'that he hath brought me into the light 'to dye, and not ſuffered me to dye in 'the dark Priſon of the *Tower*, where I 'have ſuffered a great deal of Adver-'ſity, and a long Sickneſs; and I thank 'God that my Feaver hath not taken 'me at this time, as I prayed God it 'might not.

There

'There are two main Points of Su-
'ſpition that his Majeſty hath conceiv-
'ed againſt me, wherein his Majeſty
'cannot be ſatisfied, which I deſire to
'clear and reſolve you in:

'One is, That his Majeſty hath been
'informed that I have had ſome Plot
'with *France*, and his Majeſty had ſome
'Reaſon to induce him thereunto. One
'Reaſon that his Majeſty had to con-
'jecture ſo, was, that when I came
'back from *Guiana*, being come to *Ply-*
'*mouth*, I endeavoured to go to *Rochel*;
'which was becauſe I would fain have
'made my Peace before I came to *Eng-*
'*land*. Another Reaſon was, that up-
'on my Flight I did intend to fly to
'*France* for ſaving of my Life, having
'had ſome terror from above. A third
'Reaſon was, the *French* Agent's com-
'ing to me; and it was reported I had
'Commiſſion from the King of *France*.

'But this I ſay, for a Man to call

'God to witneſs to a Falſhood at any 'time is a grievous ſin, and what ſhall 'he hope for at the Tribunal Day of 'Judgment? But to call God to wit-'neſs to a falſhood at the time of death, 'is far more grievous and impious, and 'there is no hope for ſuch an one. And 'what ſhould I expect that am now go-'ing to render an Account of my Faith? 'I do therefore call the Lord to witneſs, 'as I hope to be ſaved, and as I hope to 'ſee him in his Kingdom, which will 'be within this quarter of this hour, I 'never had any Commiſſion from the 'King of *France*, nor any Treaty with 'the *French* Agent, nor with any from 'the *French* King; neither knew I that 'there was an Agent, or what he was, 'till I met him in my Gallery at my 'Lodging unlook'd for. If I ſpeak not 'true, O Lord, let me never come into 'thy Kingdom.

'The ſecond Suſpition was, That his 'Ma-

'Majesty hath been informed, that I 'should speak dishonourably and disloyally of him. But my Accuser was 'a base *Frenchman*, a kind of a Chymical 'Fellow, one whom I knew to be Perfidious; for being drawn into this 'Action at *Winchester*, in which my 'Hand was toucht, and he being sworn 'to secrecy over Night, reveal'd it in 'the Morning.

'But in this I speak now, What have 'have I to do with Kings? I have nothing to do with them, neither do I 'fear them: I have now to do with God, 'therefore to tell a Lye now to get the 'Favour of the King were in vain. 'Therefore, as I hope to be saved at the 'last Day, I never spake dishonourably, 'disloyally, nor dishonestly of the King; 'neither to this *Frenchman*, nor to any 'other; neither had I ever in all my 'Life a thought of ill of his Majesty. 'Therefore I cannot but think it

'ſtrange, that this *Frenchman* being ſo
'baſe, ſo mean a Fellow, ſhould be ſo
'far credited; and ſo much for this
'Point. I have dealt truly, and I hope I
'ſhall be believed. I confeſs, I did at-
'tempt to eſcape, and I did diſſemble
'and fain my ſelf ſick at *Salisbury*, but I
'hope it was no ſin. The Prophet *Da-*
'*vid* did make himſelf a Fool, and did
'ſuffer Spittle to fall upon his Beard,
'to eſcape the hands of his Enemies,
'and it was not imputed to him as
'ſin; and I did it to prolong Time till
'his Majeſty came, hoping for ſome
'Commiſeration from him.

'I forgive this *Frenchman*, and Sir
'*Lewis Steuckly*, and have received the
'Sacrament this Morning of Mr. Dean,
'and I do alſo forgive all the World.
'But thus much I am bound in Charity
'to ſpeak of this Man, that all Men may
'take good heed of him: Sir *Lewis*
'*Steuckley*, my Kinſman and Keeper,
'hath

'hath affirmed that I ſhould tell him, 'that I did tell my Lord *Carew*, and my 'Lord *Doncaſter* of my preſent Eſcape; 'but I proteſt before God, I never told '*Steuckly* any ſuch thing, neither did I 'tell my Lord *Carew*, or my Lord '*Doncaſter*, of my pretended Eſcape. 'It was not likely that I ſhould ac-'quaint two Privy-Counſellors of 'my purpoſe; neither would I tell 'him, for he left me ſix, ſeven, eight, 'nine or ten days to go where I liſted, 'while he rode about the Country.

'Again, he accuſed me, that I ſhould 'tell him, that my Lord *Carew*, and my 'Lord *Doncaſter* would meet me in '*France*: which was never my ſpeech 'or thought.

'Thirdly, He accuſed me, That I 'ſhew'd him a Letter, and that I ſhould 'give him 10000 *l.* for my Eſcape: 'but caſt my Soul into everlaſting fire 'if ever I made him offer of 10000 *l.*

'or 1000 *l.* but meerly I ſhew'd him 'a Letter, that if he would go with me, 'his Debts ſhould be paid when he was 'gone; neither had I 1000 *l.* for if I 'had had ſo much, I could have done 'better with it, and made my Peace 'otherwiſe.

'Fourthly; When I came to Sir *Edward Pelham*, who had been ſometimes 'a follower of mine, who gave me 'good Entertainment; he gave out 'that I had receiv'd ſome dram of Poy'ſon in Sir *Edward Pelham's* Houſe: 'when I anſwered, that I feared no 'ſuch thing; for I was well aſſured of 'them in the Houſe. Now God for'give him, for I do, and deſire God to 'forgive him: I will not only ſay God 'is the God of Revenge, but I deſire 'God to forgive him, as I hope to be 'forgiven.

Then he looked over his Note of Remembrance; 'Well (ſaith he) thus far

'far I have gone; now a little more,
'and I will have done by and by.

'It was told the King I was brought
'*per* force into *England*, and that I did
'not intend to come again: Whereas
'Captain *Charles Parker*, Mr. *Treſham*,
'Mr. *Leak*, and divers others that knew
'how I was dealt withal, ſhall witneſs
'for me: for the Common Souldiers
'(which were 150) mutined, and ſent
'for me to come into the Gun-Room
'to them, (for at that time they would
'not come to me) and there was I
'forc'd to take an Oath, that I would
'not come into *England* till they would
'have me, elſe they would caſt me into
'the Sea and drown me; afterwards
'they entred my Cabin and ſet them-
'ſelves againſt me. After I had taken
'this Oath, with Wine and other things
'I drew the chiefeſt of them to deſiſt,
'and at length perſwaded them to go
'into *Ireland*: Then would they have

'gone into the North parts of *Ireland*,
'but I told them they were *Redſhanks*:
'yet at laſt with much ado I perſwaded
'them to go into the South parts; pro-
'miſing to get their Pardons: but was
'forc'd to give them 125 *l.* at *Kinſale*
'to bring them home, otherwiſe I had
'never got from them.

'There was a Report that I meant
'not to go to *Guiana* at all; and that I
'knew not of any Mine, nor intended
'any ſuch matter, but only to get my
'Liberty, which I had not the wit to
'keep. But it was my full intent to
'go for Gold, for the benefit of his
'Majeſty, and thoſe that went with
'me, with the reſt of my Country-
'men: But he that knew the Head of
'the Mine, would not diſcover it when
'he ſaw my Son was ſlain, but made
'himſelf away. Then he turned to
'my Lord of *Arundel* and ſaid, Being
'in the Gallery in my Ship at my De-

parture

'parture, Your Honour took me by 'the hand, and ſaid you would requeſt 'me one thing, that was, *That whether 'I made a good Voyage or bad, yet I ſhould 'return again into* England; when I 'made you a Promiſe, and gave you 'my Faith that I would: *And ſo you did* '(anſwered my Lord) *it is true, they 'were the laſt words I ſpake unto you.*

'Another Opinion was, that I carried 'to Sea with me 1600 Pieces, and that 'was all the Voyage I intended, only to 'get Money into my Hands, and that 'I had weighed my Voyage before: 'whereas I proteſt I had but 100 Pound 'in all the World, whereof I gave 25 'Pounds to my Wife: the Reaſon of 'this Speech was this; there was en-'tered 20000 Pound, and yet but '4000 Pound in the Surveyors Book; 'now I gave my Bill for the other '16000 Pound for divers Adventurers, 'but I proteſt I had not a Penny of Money

'Money more than 100 Pound, as I 'hope to be ſaved.

'Another Slander was raiſed, that 'I would have gone away from them 'and left them at *Guiana*, but there were 'a great many of worthy Men that ac-'companied me always, as my Serjeant 'Major *George Raleigh*, and divers others '(which he then named) that knew my 'Intent was nothing ſo. And theſe be 'the Material Points I thought good to 'ſpeak of; I am now at this inſtant to 'render my Account to God, and I pro-'teſt as I ſhall appear before Him, 'this that I have ſpoken is true.

'I will ſpeak but a word or two 'more, becauſe I will not trouble Mr. 'Sheriff too long.

'There was a Report ſpread, that I 'ſhould rejoyce at the Death of my 'Lord of *Eſſex*, and that I ſhould take 'Tobacco in his preſence; when as I 'proteſt I ſhed Tears at his Death, though

'though I was one of the contrary 'Faction; and at the time of his Death 'I was all the while in the Armory at 'the further end, where I could but see 'him; I was sorry that I was not with 'him, for I heard he had a desire to see 'me, and be reconciled to me. So 'that I protest I lamented his Death, 'and good cause had I, for it was the 'worse for me as it proved, for after 'he was gone I was little beloved.

'And now I intreat you all to joyn 'with me in Prayer, that the great 'God of Heaven, whom I have grie-'vously offended, being a Man full of 'all Vanity, and have lived a sinful 'Life, in all sinful Callings, having 'been a Souldier, a Captain, a Sea-'Captain, and a Courtier, which are 'all places of Wickedness and Vice; 'that God (I say) would forgive me, 'and cast away my Sins from me, and 'that he would receive me into ever-

lasting

'laſting Life. So I take my leave of 'you all, making my Peace with God.

Then Proclamation being made that all Men ſhould depart the Scaffold, he prepared himſelf for Death, giving away his Hat and wrought Night-Cap, and ſome Money to ſuch as he knew that ſtood near him: Taking his leave of the Lords, Knights, and other Gentlemen, and among the reſt taking his leave of the Lord of *Arundel*, he thanked him for his Company, and intreated him to deſire the King, that no ſcandalous Writing to defame him might be publiſhed after his Death; ſaying further unto him, *I have a long Journey to go, and therefore will take my leave.*

Then putting off his Gown and Doublet, he called to the Headſman to ſhew him the Ax, which being not preſently ſhewed him, he ſaid, *I pray thee let me ſee it, Doſt thou think that I am afraid*

afraid of it? And having it in his hands, he felt along upon the Edge of it, and ſmiling ſpake to the Sheriff, ſaying, *This is a ſharp Medicine, but it is a Phyſician for all Diſeaſes.* Then going to and fro upon the Scaffold, on every ſide he prayed the Company to pray to God to aſſiſt him and ſtrengthen him.

And ſo being asked which way he would lay himſelf, on which ſide the Block, as he ſtretched himſelf along and laid his Head on the Block, he ſaid, *So the Heart be right, it is no matter which way the Head lieth.* And then praying, after he had forgiven the Headſman, having given him a Sign when he ſhould do his Office, at two blows he loſt both Head and Life, his Body never ſhrinking nor moving. His Head was ſhewed on each ſide of the Scaffold, and then put into a Red-Leather Bag, and his wrought Velvet Gown

Gown thrown over it, vvhich was afterwards conveyed away in a Mourning Coach of his Ladies.

The large effuſion of Blood which proceeded from his Veins, amaz'd the Spectators, vvho conjectur'd he had ſtock enough left of Nature to have ſurvived many years, thô now near fourſcore years old.

He behav'd himſelf at his Death vvith ſo High and ſo Religious a Reſolution, as if a *Chriſtian* had acted a *Roman*, or rather a *Roman* a *Chriſtian*: And by the Magnanimity vvhich vvas then conſpicuous in him, he abundantly baffled their Calumnies who had accus'd him of Atheiſm.

Various were the Reſentments of his Death, and ſeveral *Paſquils* (as it always happens on ſuch Occaſions) were ſcatter'd abroad.

Of the Gallantry of his Behaviour on the Scaffold, theſe following Verſes

ſes may give a Confirmation, and a Taſte of the *Poetry* of thoſe Times.

Upon Sir *Walter Raleigh's* Execution and Death.

Great Heart! who taught thee ſo to die?
Death yielding thee the Victory.
Where took'ſt thou leave of Life? If here,
How could'ſt thou be ſo far from Fear?
But ſure thou dyed'ſt, and quitd'ſt the ſtate
Of Fleſh and Blood, before that Fate.
Elſe what a Miracle were wrought
To triumph both in Fleſh and Thought.
I ſaw in every Stander by
Pale Death, Life only in thy Eye.
Farewel; Truth ſhall this Story ſay,
We dy'd, Thou only liv'd'ſt that Day.

Or if the Reader pleaſes, he may take this following *Elegy*, compoſed on the ſame Subject, by a Sacred Wit of thoſe times.

An

An Elegy on Sir *W. R.*

I will not weep: for 'twere as great a ſin
To ſhed a Tear for Thee, as to have bin
An Actor *in thy Death. Thy Life and Age*
Was but a various Scene on Fortunes Stage;
With whom Thou tugg'ſt and ſtrov'ſt, ev'n out of breath,
In thy long Toyl, ne're maſter'd till thy Death;
And then, deſpight of Trains, and cruel Wit,
Thou didſt at once ſubdue Malice, and it.
I dare not then ſo blaſt thy Memorie,
As t' ſay I do lament or pity Thee.
Were I to chooſe a Subject to beſtow
My Pity on, he ſhould be one as low
In Spirit as Deſert: That durſt not dye,
But rather were content by Slavery
To purchaſe Life: Or would I pity thoſe
Thy moſt induſtrious and friendly Foes,
Who when they thought to make Thee Scandals ſtory,
Lent Thee a ſwifter Flight to Heav'n and Glory. They

They thought by cutting off ſome wither'd Days,
(Which thou could'ſt ſpare them) to eclipſe thy Praiſe;
Yet gave it brighter Foil, made thy ag'd Fame
Appear more white and fair, than foul their Shame;
And did promote an Execution,
Which, but for them, Nature and Age had done.
Such worthleſs Things as theſe are only born
To live on Pities Alms, (too mean for Scorn.)
Thou dy'dſt an env'ous Wonder, whoſe high Fate
The World muſt ſtill admire, ſcarce imitate.

Thus died that Knight vvho vvas *Spains* Scourge and Terror, and *Gondamor's* Triumph; vvhom the vvhole Nation pitied, and ſeveral Princes interceded for; Queen *Elizabeths* Favourite, and her Succeſſors Sacrifice. A Perſon of ſo much Worth and ſo

great Intereſt, that King *James* vvould not execute him vvithout an Apology. One of ſuch incomparable Policy, that he was too hard for *Eſſex*, was the Envy of *Leiceſter*, and *Cecil*'s Rival; vvho grew jealous of his Excellent Parts, and was afraid of being ſupplanted by him. His Head was wiſht on the Secretaries ſhoulders, and his Life valued by ſome at a higher rate than the *Infanta* of *Spain*, though a Lady incomparably excelling in both the Gifts of Mind and Body.

Authors are perplext under what Topick to place him, whether of Stateſman, Seaman, Souldier, Chymiſt, or Chronologer; for in all theſe he did excel. He could make every thing he read or heard his own, and his own he could eaſily improve to the greateſt Advantage. He ſeem'd to be born to that only vvhich he went about, ſo Dexterous vvas he in all his Undertakings,

kings, in Court, Camp, by Sea, by Land, vvith Sword, vvith Pen. Witneſs in the laſt, his

Hiſtory of the World.

Hiſtory of Guiana.

His Remains.

Judicious and Select Eſſays, and Obſervations on the firſt Invention of Shipping, the Miſery of Invaſive War, the Navy Royal and Sea-Service, with his Apology for his Sea-Voyage to Guiana.

Wars with forreign Princes dangerous to our Common-wealth, or Reaſons for forreign Wars anſwered.

An excellent Manuſcript of the preſent State of Spain, *with a moſt Accurate Account of his Catholique Majeſties Power and Riches; with the Names and Worth of the moſt conſiderable Perſons in that Kingdom.*

FINIS.

THe *Courtiers Calling*: Shewing the ways of making a Fortune, and the Art of living at Court, according to Polity and Morality. In two Parts. The First concerning Noble-Men; The Second concerning Gentlemen. By a Person of Honour. Price bound 1 s. 6 d.

Don Carlos, Prince of *Spain*, a Tragedy, as it is Acted at the Duke's Theatre. VVritten by *Thomas Otway*. Price 1 s.

Titus and *Berenice*, a Tragedy, as it is Acted at the Duke's Theatre, with a Farce, called the *Cheats of Scapin*. VVritten by *Tho. Otway*. Price 1 s.

The *Portugal History*; or, A Relation of the Troubles that happened in the Court of *Portugal*, in the Years *1667*, and *1668*: In which is to be seen that great Transaction of the Renunciation of the Crown, by *Alphonso* the Sixth; The Dissolution of his Marriage with the Princess *Maria Frances Isabella* of *Savoy*; The Marriage of the same Princess to his Brother, the Prince *Don Pedro*, now Regent of the Realm of *Portugal*; And the Reasons alledged at *Rome* for the Dispensation thereof. By *S. P.* Esquire. Price bound 1 s. 6 d.

The *Art of making Love*; or, Rules for the Conduct of Ladies and Gallants in their Amours. Price bound 1 s.

Antony and *Cleopatra*, a Tragedy, as it is acted at the Duke's Theatre. VVritten by the Honourable Sir *Charles Sidley*, Baronet; in 4to. Price 1 s.

A *Treatise* concerning *Statutes*, or *Acts of Parliament*: And the Exposition thereof. VVritten by Sir *Christopher Hatton*, late Lord Chancellor of *England*. Price bound 1 s.

Published this Term.

Circe, a Tragedy, as it is acted at his Royal Highnesses the Duke of *York*'s Theatre. VVritten by *Charles Davenant*, L. L. D. in 4to. Price sticht 1 s.

All sold by *R. Tonson*, at his Shop under *Grayes-Inn-Gate*, next *Grayes-Inn-Lane*.